



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153

WASHINGTON, WEDNESDAY, JANUARY 10, 2007

No. 5

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. HASTINGS of Florida).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC.

January 10, 2007.

I hereby appoint the Honorable ALCEE L. HASTINGS to act as Speaker pro tempore on this day.

NANCY PELOSI,

Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: "Let us sing a new song to the Lord. Let us praise the Lord in all the works of justice."

Lord, may the Nation be strengthened in hope and be inspired to think through things anew. With new Members and experienced Members working together in Congress, may new tactics and decisions be revealed as the will of the people and in accord with Your provident plan.

In You, O Lord, we find creativity, wisdom and faithful love, now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Florida (Mr. STEARNS) come forward and lead the House in the Pledge of Allegiance.

Mr. STEARNS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

IRAQI SURGE

(Mr. MORAN of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN of Virginia. Mr. Speaker, the President's proposal that he will announce tonight to increase rather than decrease the number of troops in Iraq defies the reality on the ground and the advice of our wisest military commanders. This decision will only serve to put more forces in the crossfire of a growing civil war. If there ever was a justifiable mission to depose a ruthless dictator, that mission has been accomplished. The Congress never authorized this military occupation. It is irresponsible and, in fact, immoral to allow more innocent American lives to be lost in vain.

Iraq is an artificial nation that was created by Winston Churchill and Gertrude Bell in 1922 to promote their concept of British imperialism. The reality is that this was never a winnable war for the United States of America nor in my view is it a sustainable civil society, and adding more troops is not going to change that reality.

DEPUTY GILMER HERNANDEZ— BORDER LAWMAN

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, in the small border town of Rocksprings, Texas, where drug smugglers and human smugglers sneak across the Rio Grande into America, lone Deputy Sheriff Gilmer Hernandez was on patrol. In the

stillness of the vast night, a speeding Suburban runs a red light. Deputy Hernandez, 25, stops the vehicle, but suddenly, without warning, the vehicle takes off. Deputy Hernandez says the vehicle tried to run him down. The lawman fires several shots, one of which shoots out the rear tire, just like in the movies.

The vehicle stops, and eight or nine illegals jump out and take off running into the sagebrush. One illegal had a minor injury from a bullet. The U.S. Government rounds up six or seven of the illegals and, guess what, prosecutes Deputy Hernandez, claiming he recklessly discharged his firearm and uses the illegals as witnesses against the lawman during a trial.

Citizens of his town are mad. One said, "Our deputy's in jail for doing his job."

Mr. Speaker, another example of how the Federal Government is more concerned about people illegally invading America than it is about the men who protect America. Once again, our government is on the wrong side of the border war.

And that's just the way it is.

CONGRATULATING BULGARIA ON BEING ADMITTED INTO THE EUROPEAN UNION

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, this has been a joyous new year for the people of Bulgaria. On January 1, Bulgaria and Romania were admitted into the European Union. In less than 16 years Bulgaria has successfully transitioned from a Communist totalitarian regime into a free market democracy.

Three years ago, I was honored to be at the White House with former Prime Minister Simeon Saxe-Coburg Gotha as

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H255

Bulgaria was admitted into NATO. Bulgaria has proven to be a true ally in the global war on terrorism and there are currently plans for three U.S. bases to be located within Bulgaria. Bulgaria has one of the fastest-growing European economies, and membership in the EU will accelerate its pace.

Congratulations to President Georgi Parvanov, Prime Minister Sergey Stanishev, Ambassador to Washington Elena Poptodorova, and my longtime friend and former ambassador to Athens, Stefan Stoyanov. I am grateful to serve with Congresswoman ELLEN TAUSCHER as co-chair of the Bulgaria Caucus.

In conclusion, God bless our troops, and we will never forget September 11.

IT'S TIME TO RAISE THE MINIMUM WAGE

(Mr. AL GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AL GREEN of Texas. It's time to raise the minimum wage.

Mr. Speaker, I love America, and I want to make real the ideal expressed in the Pledge of Allegiance, liberty and justice for all. Justice not just for those who make more in a day than a minimum wage worker makes in a year, not just for those who are in, those who are in charge, in control, included, but justice also for those who are out, who are left out of the economic recovery, who are without health insurance, who are locked out of an apartment because they cannot afford to pay rent.

Mr. Speaker, in the final analysis, the justness of America will not be determined by how we treat millionaires in the suites of life but, rather, how we treat minimum wage workers in the streets of life.

GO GATORS

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I rise today to congratulate the University of Florida Gators for their win Monday night to capture their second football national championship. With the Gators' 41-14 defeat of the Ohio State Buckeyes, they become the first Division I school to hold the national championship in men's basketball and football at the same time.

Coming into this game, many of the so-called experts did not give the Gators any chance of defeating the previously undefeated Buckeyes. However, once they took the field, the Gators were not intimidated. In fact, the Gators held Ohio State to only 82 yards of total offense, the fewest number of yards in BCS history.

The Florida Gators are an excellent example of both the university and the great State of Florida in their tenac-

ity, spirit and, of course, their desire to succeed. I take great pride in representing the University of Florida and congratulate Coach Urban Meyer and the entire university on this great accomplishment.

The SPEAKER pro tempore. I wanted to ask my colleague to continue for another minute since I am from Florida.

IRAQI SURGE

(Mr. INSLEE asked and was given permission to address the House for 1 minute.)

Mr. INSLEE. Mr. Speaker, we need a surge of congressional action to stop George Bush's disastrous policy in Iraq. The country needs and is desperate for a change in policy in Iraq, and tonight President George Bush will continue his policy of failure, of giving us just more of the same.

It is clear that we need to insist on a political solution in Iraq rather than to insist on Americans continuing to pour billions of dollars and thousands of lives into this political chaos in Iraq. The President has refused to listen to the bipartisan panel calling for a change in Iraq. He has refused to listen to the American people. But he cannot refuse to listen to a Congress that fulfills its obligation under the Constitution to exercise the power of the purse to stop this misguided escalation.

The U.S. House should vote in clear and no uncertain terms to fund the troops that are there and to cut off funding for any escalation. It is our constitutional obligation. It is a commonsense policy to insist on Iraqis standing up. That is the direction and the change we need in this country.

STEM CELL BREAKTHROUGH

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Mr. Speaker, I rise today to recognize and congratulate Wake Forest University's Institute for Regenerative Medicine for its recent medical breakthrough in amniotic fluid stem cell research. Using these specific cells does not require the destruction of human life at any stage.

This is tremendous news. Not only does this prevent the destruction of human life but these stem cells have amazing properties that show very promising results. Unlike embryonic stem cells, these remain stable for years without forming tumors and are easily retrieved for medical use. They also have the ability to grow into brain, muscle and other forms of tissue that could potentially cure diseases. In addition, since these cells are a genetic match to a fetus, they can be used to help cure birth defects or even be frozen over time to use as a personalized tissue bank for use later in life.

In addition to being a medical breakthrough, this gives hope to millions who support the sanctity of life that

curing diseases and the potential for regenerative tissue growth are possible in a moral and ethical way.

I am proud to recognize the truly amazing work of Wake Forest University's Institute of Regenerative Medicine and look forward to the promise of its continued research.

□ 1015

RAISING THE MINIMUM WAGE

(Mr. SCHIFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHIFF. Mr. Speaker, today we have the opportunity to raise the wages of 13 million Americans, and we should take it.

Why raise the minimum wage in America? For the simple reason that men and women in the richest Nation on Earth should not work full time and still be relegated to living in poverty. What does it mean for the father or mother in a family of three to live on the current minimum wage? It means an income of \$10,000 a year.

Imagine living in Glendale, Burbank or Pasadena, or any city in America, and trying to get by on \$10,000 a year. A raise in the minimum wage will be an additional \$4,000 for that family of three. It will mean more groceries on the table and a greater opportunity to get health care. It will mean potentially pulling that family out of poverty. It is the right thing to do. We have the opportunity today to make that happen for millions, and we should take it.

REDUCING TAX AND REGULATORY BURDEN

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I rise to speak briefly about the issue that my good friend from Burbank, Mr. SCHIFF, did, and that is the issue of minimum wage.

I am well aware of the fact that 80 percent of the American people believe we should increase the minimum wage, and I am for everyone's wage being increased. I want those who are struggling to get on the first rung of the economic ladder to have every opportunity possible.

That is why I think it is very important that as we prepare to embark on this debate on the minimum wage, that we focus on the most important item that we face and that was raised by Mr. SCHIFF, that being the issue of our being the richest economy in the world.

Mr. Speaker, that is not by accident. It is because of policies that we have put into place that are doing everything we can to ensure economic growth. So that is why as we look at this issue of making sure that people

who are dealing with economic challenges, we need to make sure that job creation is priority number one. And that is why focusing on reducing the tax and regulatory burden on those who are creating jobs should be priority number one.

INCREASING MINIMUM WAGE

(Ms. WATSON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WATSON. Mr. Speaker, as this session of Congress begins, one of the most important pieces of legislation is the one we have been discussing, and that is increasing the minimum wage. This bill is long overdue.

During the first 100 hours, this Congress will vote to extend economic prosperity to 7.3 million Americans who have been left behind for far too long. It has been almost a decade since the Federal minimum wage has been increased. Today, a minimum wage worker is trying to make due on less than \$11,000 a year. This is simply impossible; \$5.15 an hour is simply not a fair and livable wage for hardworking Americans. In fact, the minimum wage is at its lowest purchasing level in over 50 years.

It is time Washington stands up for the little guy and gives more than 6 million workers a much-deserved pay raise.

CHANGE COURSE IN IRAQ

(Mr. NADLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NADLER. Mr. Speaker, what a deaf President we have. The American people told him loud and clear on November 7 that we want to change course in Iraq. He doesn't hear them.

The Iraq Study Group told him loud and clear we must change course in Iraq and certainly not escalate; he doesn't hear them.

His generals tell him that more troops won't do any good, will simply increase American casualties; he hears them, but he fires them and gets generals that will tell him what he wants to hear.

There is nothing more clear today than that the civil war in Iraq is a civil war, that there is no function for the United States to try to help one side against the other in that civil war. Indeed, one could make the case we picked the wrong side, and that we must withdraw our troops. We must tell the Iraqis that we are withdrawing, and we are withdrawing on a timetable. You make a deal with each other, you live together or fight your own civil war, we are not going to do it for you.

Mr. Speaker, for that we should not escalate. We should pass legislation in this Congress saying funds that are appropriated can be used only to protect the troops and to withdraw them.

WORKERS IN NEED OF A PAY RAISE

(Mr. SARBANES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SARBANES. Mr. Speaker, there are millions of workers in this Nation in desperate need of a pay raise. They work full time, struggling to make ends meet and support their families while bringing home a little more than \$10,000 a year in pay. These workers are currently making the minimum wage, which has not moved from \$5.15 an hour for almost a decade, making it the lowest minimum wage in 50 years when adjusted for inflation.

This is a national embarrassment. As Dr. Martin Luther King, Jr., said: In this rich Nation, it is a crime that any American should have to work for starvation wages.

Today we have an opportunity to come together and give American workers an urgently needed pay raise.

Mr. Speaker, this legislation is one of the most fair and necessary bills we will pass during this first 100 hours of the new Congress. It provides all of us an opportunity to help our most vulnerable constituents improve their quality of life.

In America, we believe that if you work hard and play by the rules, you can make a decent living for your family. Let's demonstrate our commitment to that today.

WHY WE CAN'T WAIT

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, in this week of recognition and admiration of Dr. Martin Luther King, Jr., I am reminded of a book he wrote and the words "why we can't wait" which emphasized the urgency of the civil rights movement for the then Negro in the United States of America.

Today we rise to indicate to America we cannot wait for an increase in the minimum wage. We cannot wait for that waitress who asked me when she would be able to provide more for her children and have the opportunity for the American dream.

By raising the minimum wage today, we impact 7 million women, 3.4 million parents, and we raise it from \$5.15 to \$7.25 over 2 years. In 9 years, 10 years, we have not raised the minimum wage.

I say this in the backdrop of the President's speech tonight on Iraq, because that theme follows why we can't wait for a successful policy in Iraq, and why we can't wait to have the President change directions to ensure that we eliminate that failed policy.

We are going to stand for a new direction in Iraq, saving our soldiers and bringing them home with dignity. And we are going to stand for working families in America.

DEMOCRATS TAKE NATION IN NEW DIRECTION

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, this month Democrats will take action on a bold agenda that includes all Americans. During our first 100 hours of legislative work, we are going to expand economic opportunities to millions of Americans who have been left standing in need for 6 years at least.

Hardworking middle class Americans feel like they have been left behind. While CEOs see millions of dollars in bonuses and large pay increases, middle class workers have faced stagnant wages for well over 5 years. And while their wages remain virtually the same, they are trying to stretch every paycheck to better afford increasing education and health care costs.

This month, Congress will give these families some much-needed help. For families trying to afford a college education for their children, we are going to cut student loan interest rates in half, which should save the average borrower about \$5,000 over the life of the loan.

For seniors struggling to pay for high price prescription drug costs, we are going to lessen the burden by giving the Federal Government the ability to actually negotiate for lower drug prices.

Today we will give working Americans a minimum wage increase.

LIVABLE WAGE

(Mr. ELLISON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ELLISON. Mr. Speaker, today the hardworking men and women of America have reason to rejoice. Today from the people's House, the House of Representatives, we have heard the call of the people of America, and we will today say that labor has dignity and the working people of America deserve a raise in pay.

It has been a long time coming, about 10 years; too long in fact, too long. Fifteen million people will benefit. But the people who get the pay increase, they will not be the only beneficiaries. You and I will be able to claim a generous Nation that believes that all labor is dignified and must be honored with fair and decent pay.

Poverty has increased every year over the last 6 years. The ranks of the uninsured have increased every year over the last 6 years; and something else has increased over the last 6 years, executive pay.

An average CEO makes more before lunch than the average minimum wage worker makes all year long.

Today, the House recognizes that all labor is important; all workers deserve dignity.

Today, the House recognizes that 37 million people living in poverty is not acceptable. And this should mark a new beginning.

Toward concerning all—because a loving nation looks out for the health and wellness of all its people.

Today's a step towards a livable wage—not just a minimum wage.

Toward economic justice.

PASS FAIR MINIMUM WAGE ACT

(Mr. LOEBACK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOEBACK. Mr. Speaker, the Fair Minimum Wage Act is aptly named because this legislation is about fairness, about shrinking the ever-widening gap between those who can afford to live in our society and those who struggle every day to make ends meet.

My constituents in Iowa and people across America are working harder, but they are not receiving the fruits of their labor, and many face daily financial hardships.

I am very concerned that while Congress has failed to raise the minimum wage for the past 10 years, the salaries of the Members of this body have risen dramatically. For the past 10 years, the minimum wage remains stagnant at \$5.15 an hour, but annual congressional salaries rose by more than three times what a minimum wage earner makes in a year.

I call on all of my colleagues today to promptly increase the minimum wage and show America that we are about fairness, about rewarding those who work hard day in and day out.

MINIMUM WAGE IS ARBITRARY NUMBER

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, despite vastly overwhelming numbers, I rise to address the House, and I apparently represent the entire body on this side of the aisle.

I want to say this to my Democrat friends, and I understand the vote here and I understand the politics of minimum wage, but why \$7.50 an hour, \$7.15, whatever it is? Why not \$8? Why not \$9? It is an arbitrary number anyhow. Maybe \$15, maybe \$20 an hour. It is an arbitrary number. If we are command and control, central government planning anyhow, why is \$7 an hour sufficient?

In 1980, 15 percent of the workers in America were on minimum wage. Today, it is 2.5 percent. Who are they? Fifty-two percent are teenagers. Thirty percent are part-timers. And 40 percent have never held a job before.

Many studies show that when the minimum wage increases, small businesses who will be most affected actually decrease the number of jobs, thus hurting those whom we are supposed to be helping.

I would say to you that the reason most jobs do not pay minimum wage anymore is because the economy has moved the central government planning of Congress and the thinking of 1938 which set the law in motion to begin with. With that, Mr. Speaker, I look forward to the debate today.

PASS MINIMUM WAGE ACT

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in strong support of H.R. 2, the Fair Minimum Wage Act of 2007, and I am glad it will pass today in the House of Representatives, because for too long the disparity between the wealthiest and the poor has been going on and continuing to grow in America. And it is in no small part due to the Republicans not raising the minimum wage in almost 10 years.

Imagine this, you work for \$5.15 an hour. You work all year round, and not your take-home pay but your gross pay is \$10,700. That is \$6,000 below the poverty level for a family of three every year.

The minimum wage has not gone up. Real income, the buying power of the dollar has gone down for Americans. And the cost of health insurance, of gasoline, of home heating, of tuition at college has gone up by \$5,000 since the year 2000. So this is an important law to pass today.

SUPPORTING MINIMUM WAGE

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, I want to make sure that my first public words on this sacred floor address an issue of utmost importance to the citizens of this great Nation.

Today, we will be considering H.R. 2, the Fair Minimum Wage Act of 2007, to give 13 million Americans a pay raise. This is legislation which I am pleased to be an original cosponsor of.

Increasing the minimum wage is necessary. It is a necessary step to help 38 million Americans living in poverty. Yet the Congress for almost 10 years has failed to assist this population by increasing the minimum wage to a decent wage. An increase in the minimum wage would help nearly 700,000 Georgia workers.

As I understand it, Mr. Speaker, the majority leadership of the 109th Congress felt it necessary to award themselves a pay raise despite the fact that they worked just over 100 days in 2006. Given that more than half of Americans will benefit from this wage increase, I am looking forward to Americans getting a fair wage today and have this bill pass.

Given that more than half of Americans who will benefit from this wage increase work a full

week every week, it is time for this Congress to increase the minimum wage and give America's hardest workers a fair wage for a fair day's work.

□ 1030

FAUX KLINGONS SENDING REAL AMERICANS TO WAR

(Mr. WU asked and was given permission to address the House for 1 minute.)

Mr. WU. Mr. Speaker, 4 years ago, this administration took America to war in Iraq without adequate evidence. Since that time, the administration has not listened to the American people, it hasn't listened to our professional military, and it certainly hasn't listened to this Congress.

It was said of a prominent businessman in downtown Portland that he never listened to anybody and that if he was ever drawn in a cartoon he would be drawn without ears.

Now, this President has listened to some people, the so-called Vulcans in the White House, the ideologues. But unlike the Vulcans of Star Trek, who made the decisions based on logic and fact, these guys make it on ideology. These aren't Vulcans. There are Klingons in the White House. But unlike the real Klingons of Star Trek, these Klingons have never fought a battle of their own.

Don't let faux Klingons send real Americans to war. It is wrong.

ANSWERING THE CHALLENGE TO THE ESCALATION OF THE WAR IN IRAQ

(Mr. BRALEY of Iowa asked and was given permission to address the House for 1 minute.)

Mr. BRALEY of Iowa. Mr. Speaker, I rise to commemorate an historic event that occurred in this Chamber 91 years ago during the middle of the Great War, the war to end all wars.

On January 10, 1918, this House passed a constitutional amendment granting women the right to vote by a vote of 274 to 136. Representative Jeanette Rankin from Montana, the first woman to serve in this body, whose statue appears in Statuary Hall and who became the first woman to serve in Congress in 1917, asked her male colleagues this important question in asking them to support that amendment: "How shall we answer the challenge, gentlemen?"

Her question is worth repeating today as President Bush prepares to escalate the war in Iraq. We need to repeat her question: How shall we answer this challenge?

SUPPORT THE STEM CELL RESEARCH ENHANCEMENT ACT

(Mr. MURPHY of Connecticut asked and was given permission to address the House for 1 minute.)

Mr. MURPHY of Connecticut. Mr. Speaker, today, we will have the

chance to grant relief to millions of Americans toiling under an unjust minimum wage, but later this week we will also have the opportunity to grant relief to the millions of Americans who are suffering from debilitating and life-threatening diseases by passing the bipartisan Stem Cell Research Enhancement Act.

In Connecticut, I was proud to have overseen passage of the Nation's first law investing State funds in life-saving stem cell research. But our \$100 million success story in Connecticut was a bit-sweet one, since our effort was made necessary only by the Federal Government's failure to act.

Mr. Speaker, I will be even prouder to join my colleagues on both sides of the aisle this week to support legislation that will buttress the hopes of millions of Americans with the tangible support and resources of their Federal Government, and I hope that this unprecedented show of support here in the people's House will give our President cause to reconsider his unfounded and unpopular decision to oppose this life-saving initiative.

WAR IN IRAQ OF BENEFIT TO NO ONE

(Ms. SHEA-PORTER asked and was given permission to address the House for 1 minute.)

Ms. SHEA-PORTER. Mr. Speaker, the President of the United States is going to urge a troop escalation in Iraq. I must protest this for the following reasons:

This war was wrong from the beginning. Our focus should have been Afghanistan. We had a real opportunity to bring freedom and change to Afghanistan. Instead, we diverted our attention to Iraq with disastrous results.

More troops will not bring the United States more support from the Iraqis, but it will bring our troops and the people of Iraq more misery, more fighting, more injuries and more death.

We are spending our children's future in this war.

There are no benefits to either the United States, to Iraq or to the world.

RIGHTING A WRONG FOR OUR WORKING FAMILIES

(Mr. WILSON of Ohio asked and was given permission to address the House for 1 minute.)

Mr. WILSON of Ohio. Mr. Speaker, I rise to say that what will be going on today is righting a wrong for working families in America, and that is raising the minimum wage.

It has been a full 10 years since President Clinton was able to raise the minimum wage to help the people who work for us on a daily basis. With all the increased costs we have today, of housing, of health care, it is just impossible for people to be able to make it. In Ohio, we have seen people suffer because the minimum wage has not been relevant to what is going on in their life.

Many years ago, Henry Ford was criticized for saying that he paid his workers better than others, and his logic was his workers would be able to buy the cars that they manufactured. We want the people today to be able to have the right to be able to buy the things that they need, certainly for their families. So raising the minimum wage is the right thing to do.

DEMOCRATS MAKE GOOD ON THEIR PROMISE TO TAKE AMERICA IN A NEW DIRECTION

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, Democrats promised that if the American people trusted us with control of Congress, we would take America in a new direction. So far, we have made good on our promise to break the link between lobbyists and legislation, and we reinstituted pay-as-you-go budgeting.

But our work is not done. We are now in our first 100 hours of legislation, and already we have passed legislation that will make America more secure by implementing the independent 9/11 Commission recommendations.

Today, we will give Americans a much-needed pay raise by increasing the minimum wage; later this week, we are going to begin making health care more affordable by giving the Federal Government the ability to negotiate for lower prescription drug prices; and tomorrow we are going to give hope to millions of Americans by allowing stem cell research. Next week, we will also move down the path to energy independence by ending subsidies to Big Oil and investing in renewable energy.

Democrats promise to deliver so we can take America in a new direction.

ELECTION OF MINORITY MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. McKEON. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution (H. Res. 45) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 45

Resolved, That the following named members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON AGRICULTURE.—Mr. Everett, Mr. Lucas, Mr. Moran of Kansas, Mr. Hayes, Mr. Johnson of Illinois, Mr. Graves, Mr. Bonner, Mr. Rogers of Alabama, Mr. King of Iowa, Mrs. Musgrave, Mr. Neugebauer, Mr. Boustany, Mr. Kuhl of New York, Ms. Foxx, Mr. Conaway, Mr. Fortenberry, Mrs. Schmidt, Mr. Smith of Nebraska, Mr. McCarthy of California, and Mr. Walberg.

(2) COMMITTEE ON ARMED SERVICES.—Mr. Saxton, Mr. McHugh, Mr. Everett, Mr. Bartlett of Maryland, Mr. McKeon, Mr. Thornberry, Mr. Jones of North Carolina, Mr.

Hayes, Mr. Calvert, Mrs. Jo Ann Davis of Virginia, Mr. Akin, Mr. Forbes, Mr. Miller of Florida, Mr. Wilson of South Carolina, Mr. LoBiondo, Mr. Cole of Oklahoma, Mr. Bishop of Utah, Mr. Turner, Mr. Kline, Mrs. Miller of Michigan, Mr. Gingrey, Mr. Rogers of Alabama, Mr. Franks of Arizona, Mrs. Drake, Mrs. McMorris Rodgers, Mr. Conaway, and Mr. Davis of Kentucky.

(3) COMMITTEE ON EDUCATION AND LABOR.—Mr. Petri, Mr. Hoekstra, Mr. Castle, Mr. Souder, Mr. Ehlers, Mrs. Biggert, Mr. Platts, Mr. Keller, Mr. Wilson of South Carolina, Mr. Kline, Mr. Inglis of South Carolina, Mrs. McMorris Rodgers, Mr. Marchant, Mr. Price of Georgia, Mr. Fortuño, Mr. Boustany, Ms. Foxx, Mr. Kuhl of New York, Mr. Bishop of Utah, Mr. David Davis of Tennessee, and Mr. Walberg.

(4) COMMITTEE ON ENERGY AND COMMERCE.—Mr. Hall, Mr. Hastert, Mr. Upton, Mr. Stearns, Mr. Deal of Georgia, Mr. Whitfield, Mr. Norwood, Mrs. Cubin, Mr. Shimkus, Mrs. Wilson of New Mexico, Mr. Shadegg, Mr. Pickering, Mr. Fossella, Mr. Buyer, Mr. Radanovich, Mr. Pitts, Mrs. Bono, Mr. Walden of Oregon, Mr. Terry, Mr. Ferguson, Mr. Rogers of Michigan, Mrs. Myrick, Mr. Sullivan, Mr. Murphy, and Mr. Burgess.

(5) COMMITTEE ON FINANCIAL SERVICES.—Mr. Baker, Ms. Pryce of Ohio, Mr. Castle, Mr. King of New York, Mr. Royce, Mr. Lucas, Mr. Paul, Mr. Gillmor, Mr. LaTourette, Mr. Manzullo, Mr. Jones of North Carolina, Mrs. Biggert, Mr. Shays, Mr. Gary G. Miller of California, Mrs. Capito, Mr. Feeney, Mr. Hensarling, Mr. Garrett of New Jersey, Ms. Ginny Brown-Waite of Florida, Mr. Barrett of South Carolina, Mr. Renzi, Mr. Gerlach, Mr. Pearce, Mr. Neugebauer, Mr. Price of Georgia, Mr. Davis of Kentucky, Mr. McHenry, Mr. Campbell of California, Mr. Putnam, Mrs. Blackburn, Mrs. Bachmann, and Mr. Roskam.

(6) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mr. Burton of Indiana, Mr. Shays, Mr. McHugh, Mr. Mica, Mr. Souder, Mr. Platts, Mr. Cannon, Mr. Duncan, Mr. Turner, Mr. Issa, Mr. Marchant, Mr. Westmoreland, Mr. McHenry, Ms. Foxx, Mr. Bilbray, and Mr. Sali.

(7) COMMITTEE ON HOMELAND SECURITY.—Mr. Smith of Texas, Mr. Shays, Mr. Souder, Mr. Tom Davis of Virginia, Mr. Daniel E. Lungren of California, Mr. Rogers of Alabama, Mr. Jindal, Mr. Reichert, Mr. McCaul of Texas, Mr. Dent, Ms. Ginny Brown-Waite of Florida, Mrs. Blackburn, Mr. Bilirakis, and Mr. David Davis of Tennessee.

(8) COMMITTEE ON FOREIGN AFFAIRS.—Mr. Smith of New Jersey, Mr. Burton of Indiana, Mr. Gallegly, Mr. Rohrabacher, Mr. Royce, Mr. Chabot, Mr. Manzullo, Mr. Tancredo, Mr. Paul, Mr. Flake, Mrs. Jo Ann Davis of Virginia, Mr. Pence, Mr. McCotter, Mr. Wilson of South Carolina, Mr. Boozman, Mr. Barrett of South Carolina, Mr. Mack, Mr. Fortenberry, Mr. McCaul of Texas, Mr. Poe, Mr. Inglis of South Carolina, and Mr. Fortuño.

(9) COMMITTEE ON THE JUDICIARY.—Mr. Sensenbrenner, Mr. Coble, Mr. Gallegly, Mr. Goodlatte, Mr. Chabot, Mr. Daniel E. Lungren of California, Mr. Cannon, Mr. Keller, Mr. Issa, Mr. Pence, Mr. Forbes, Mr. King of Iowa, Mr. Feeney, Mr. Franks of Arizona, Mr. Gohmert, and Mr. Jordan.

(10) COMMITTEE ON NATURAL RESOURCES.—Mr. Saxton, Mr. Gallegly, Mr. Duncan, Mr. Gilchrest, Mr. Calvert, Mr. Cannon, Mr. Tancredo, Mr. Flake, Mr. Renzi, Mr. Pearce, Mr. Brown of South Carolina, Mr. Fortuño, Mrs. McMorris Rodgers, Mr. Jindal, Mr. Gohmert, Mr. Cole of Oklahoma, Mr. Bishop of Utah, Mr. Shuster, Mr. Heller of Nevada, Mr. Sali, and Mr. Lamborn.

(11) COMMITTEE ON SCIENCE AND TECHNOLOGY.—Mr. Sensenbrenner, Mr. Smith of

Texas, Mr. Rohrabacher, Mr. Calvert, Mr. Bartlett of Maryland, Mr. Ehlers, Mr. Lucas, Mrs. Biggert, Mr. Akin, Mr. Bonner, Mr. Feeney, Mr. Neugebauer, Mr. Inglis of South Carolina, Mr. McCaul of Texas, Mr. Mario Diaz-Balart of Florida, Mr. Gingrey, Mr. Bilbray, and Mr. Smith of Nebraska.

(12) COMMITTEE ON SMALL BUSINESS.—Mr. Bartlett of Maryland, Mr. Graves, Mr. Akin, Mr. Shuster, Mrs. Musgrave, Mr. King of Iowa, Mr. Portenberry, Mr. Westmoreland, Mr. Gohmert, Mr. Heller of Nevada, Mr. David Davis of Tennessee, Ms. Fallin, Mr. Buchanan, and Mr. Jordan.

(13) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Mr. Young of Alaska, Mr. Petri, Mr. Coble, Mr. Duncan, Mr. Gilchrest, Mr. Ehlers, Mr. LaTourette, Mr. Baker, Mr. LoBiondo, Mr. Moran of Kansas, Mr. Gary G. Miller of California, Mr. Hayes, Mr. Brown of South Carolina, Mr. Johnson of Illinois, Mr. Platts, Mr. Graves, Mr. Shuster, Mr. Boozman, Mr. Gerlach, Mr. Mario Diaz-Balart of Florida, Mr. Marchant, Mr. Dent, Mr. Poe, Mr. Reichert, Mr. Mack, Mr. Kuhl of New York, Mr. Westmoreland, Mr. Boustany, Mrs. Schmidt, Mrs. Miller of Michigan, Mrs. Drake, Ms. Fallin, and Mr. Buchanan.

(14) COMMITTEE ON VETERANS AFFAIRS.—Mr. Stearns, Mr. Burton of Indiana, Mr. Moran of Kansas, Mr. Baker, Mr. Brown of South Carolina, Mr. Miller of Florida, Mr. Boozman, Ms. Ginny Brown-Waite of Florida, Mr. Turner, Mr. Bilbray, Mr. Lamborn, and Mr. Bilirakis.

The SPEAKER pro tempore. Without objection, further reading of the resolution is dispensed with.

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF MAJORITY MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. PALLONE. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 46) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 46

Resolved, That the following named Members and Delegate be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON ARMED SERVICES.—Mr. Spratt, Mr. Ortiz, Mr. Taylor of Mississippi, Mr. Abercrombie, Mr. Meehan, Mr. Reyes, Mr. Snyder, Mr. Smith of Washington, Ms. Loretta Sanchez of California, Mr. McIntyre, Mrs. Tauscher, Mr. Brady of Pennsylvania, Mr. Andrews, Mrs. Davis of California, Mr. Langevin, Mr. Larsen of Washington, Mr. Cooper, Mr. Marshall, Ms. Bordallo, Mr. Udall of Colorado, Mr. Boren, Mr. Ellsworth, Ms. Boyda of Kansas, Mr. Patrick Murphy of Pennsylvania, Mr. Johnson of Georgia, Ms. Shea-Porter, Mr. Courtney, Mr. Loeb sack, Mrs. Gillibrand, Mr. Sestak, Ms. Giffords, Ms. Castor.

(2) COMMITTEE ON EDUCATION AND LABOR.—Mr. Kildee, Mr. Payne, Mr. Andrews, Mr. Scott of Virginia, Ms. Woolsey, Mr. Hinojosa, Mrs. McCarthy of New York, Mr. Tierney, Mr. Kucinich, Mr. Wu, Mr. Holt, Mrs. Davis of California, Mr. Davis of Illinois, Mr. Grijalva, Mr. Bishop of New York, Ms. Linda T. Sánchez of California, Mr. Sarbanes, Mr. Sestak, Mr. Loeb sack, Ms. Hirono, Mr.

Altmire, Mr. Yarmuth, Mr. Hare, Ms. Clarke, Mr. Courtney, Ms. Shea-Porter.

Mr. PALLONE (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LIFTING MINIMUM WAGE WORKERS OUT OF POVERTY

(Mr. WELCH of Vermont asked and was given permission to address the House for 1 minute.)

Mr. WELCH of Vermont. Mr. Speaker, \$2.32 for a gallon of gas, \$2.99 for a gallon of milk, \$20 or \$25 for a single day of childcare. These are real prices and, too often, real choices that working Americans face every day.

In Vermont, and across America, we have had a proud tradition of self-reliance and sense of community. We need to combine these two values, self-reliance on the one hand and community on the other, by rewarding work and making work pay.

We send a message every day to our citizens and our workers that we value work and that government has a role to play in ensuring opportunity to everyone willing to contribute. It is time we matched that message with our own leadership.

It is no accident that in Vermont and more than 20 States around the country, Republicans and Democrats, working together, have led in the effort to reward work with a reasonable minimum wage above our national minimum last set nearly a decade ago.

There are few more important tasks before us than addressing the growing economic gap between America's wealthiest citizens and low income workers.

Last year, millionaires were given tax breaks that put an average of \$40,000 in their pockets, and yet middle class workers who earn less than \$20,000 received just two dollars. Two dollars—for the whole year. That is rewarding wealth rather than work.

Today a full-time minimum wage worker earns just \$10,712 annually—more than \$2,000 below the poverty line for a family of two. Asking millions of our neighbors to work full time without a wage above poverty is wrong.

I believe that Congress must raise the federal minimum wage to \$7.25 an hour to help life every minimum wage worker out of poverty.

Today and together, we can begin to restore a balance, by rewarding work and not just wealth, acknowledging we are all in this together.

FAIR MINIMUM WAGE ACT OF 2007

Mr. HOYER. Mr. Speaker, pursuant to section 508 of House Resolution 6, I call up the bill (H.R. 2) to amend the Fair Labor Standards Act of 1938 to

provide for an increase in the Federal minimum wage, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fair Minimum Wage Act of 2007".

SEC. 2. MINIMUM WAGE.

(a) IN GENERAL.—Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

"(1) except as otherwise provided in this section, not less than—

"(A) \$5.85 an hour, beginning on the 60th day after the date of enactment of the Fair Minimum Wage Act of 2007;

"(B) \$6.55 an hour, beginning 12 months after that 60th day; and

"(C) \$7.25 an hour, beginning 24 months after that 60th day;"

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 60 days after the date of enactment of this Act.

SEC. 3. APPLICABILITY OF MINIMUM WAGE TO THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

(a) IN GENERAL.—Section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) shall apply to the Commonwealth of the Northern Mariana Islands.

(b) TRANSITION.—Notwithstanding subsection (a), the minimum wage applicable to the Commonwealth of the Northern Mariana Islands under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) shall be—

(1) \$3.55 an hour, beginning on the 60th day after the date of enactment of this Act; and

(2) increased by \$0.50 an hour (or such lesser amount as may be necessary to equal the minimum wage under section 6(a)(1) of such Act), beginning 6 months after the date of enactment of this Act and every 6 months thereafter until the minimum wage applicable to the Commonwealth of the Northern Mariana Islands under this subsection is equal to the minimum wage set forth in such section.

The SPEAKER pro tempore. Pursuant to section 508 of House Resolution 6, the gentleman from Maryland (Mr. HOYER) and the gentleman from Ohio (Mr. BOEHNER) each will control 90 minutes.

The Chair recognizes the distinguished majority leader, the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am extraordinarily happy to rise in support of this legislation. This legislation is very late in coming to this floor as a free-standing bill. It is, however, never too late to do the right thing.

This legislation, the Fair Minimum Wage Act of 2007, is long overdue. I believe it will pass this House today with broad bipartisan support, as the 9/11 bill did yesterday, making our country safer.

At long last, Mr. Speaker, this House is just hours away from finally passing a clean increase in the Federal minimum wage and sending this legislation to the Senate, where we devoutly hope the Members of the other body will do the same without delay.

H.R. 2 is the second key piece of legislation in the new Democratic majority's 100-hours agenda, and we are following through on our pledge to the American people to immediately address these critical issues.

There is probably not a Member of this House who fails to appreciate that an American who works full time at today's minimum wage of \$5.15 per hour is essentially living in poverty. That is not right, Mr. Speaker. That worker, if he or she works 40 hours per week for 52 weeks, makes roughly \$10,700 per year. If that mom has a child or that father has a wife and a child, they are essentially living on \$6,000 less than we determine to be poverty in America.

Passing this legislation today, which will raise the minimum wage by \$2.10 per hour to \$7.25 in three steps over the next 2 years, is simply a matter of doing what is right, what is just and what is fair.

Frankly, Mr. Speaker, if it were up to me, I would do \$7.25 an hour now. But we are going to phase this in so that small businesses and others can accommodate this raise. But that will mean, Mr. Speaker, that those on the minimum wage will still have to wait.

It has been 9 years and 4 months since the last increase in the Federal minimum wage took effect, and that was under President Clinton. This represents the longest period without an increase since Congress established the minimum wage in 1938, since Congress said we are going to have a minimum in the United States that we will pay people and respect people who work to make themselves, their families and their country better.

At \$5.15 today, the minimum wage level is at its lowest level, adjusted for inflation, in over 50 years, half a century. In fact, Mr. Speaker, if the minimum wage had been adjusted by a cost of living increase on an annual basis since 1968, a minimum wage worker would not be making \$5.15, would not be making \$7.25, but would be making \$9.05. So, effectively, this raise will be \$1.85 less than they would be making if it had been raised on a regular basis.

Meanwhile, just since 2000, the cost of health insurance, gasoline, home heating, attending college, food and other related expenses have all increased, in fact, for an average family, about \$5,000 a year in that period of time. Yet the minimum wage worker has not received any raise.

This legislation will benefit literally millions of Americans. An estimated 5.6 million Americans who make less than \$7.25 per hour will directly benefit from this increase. An estimated additional 7.3 million Americans, including family members of those making less than \$7.25, will indirectly benefit.

□ 1045

Now there are those who will claim this legislation will hurt small business and the economy. I reject that. I believe history shows that that is not the case. In fact, when we raised it in

1997, the economy was having one of its most successful periods of time, which continued long past the adoption of the minimum wage. In fact, according to one recent study, small business employment grew more in States with a higher minimum wage between 1997 and 2003 than in Federal minimum wage States. In other words, in those States that were paying above the \$5.15 an hour, their economies grew more and they created more jobs than did those States which had frozen their minimum wage at the Federal minimum wage.

In fact, Lee Scott, the chief executive officer of Wal-Mart, has stated that the current minimum wage "is out of date with the times. We can see firsthand at Wal-Mart how many of our customers are struggling to get by. Our customers simply don't have the money to buy basic necessities between paychecks."

Now, what is Wal-Mart all about? Wal-Mart is about bringing prices down. It is very controversial how they do it, but the fact is they know their consumers cannot buy even discounted necessities of life on the minimum wage.

Mr. Speaker, you and I know that in the richest Nation on the face of the Earth, that is wrong.

In a bipartisan way, and I haven't counted the Republican votes, but we are going to get a lot of Republican votes from those who are saying to the American people, as we are, we agree with you. Because 89 percent of the American people, when questioned, believe the minimum wage ought to be raised. Eighty-nine percent of the American people. And, Mr. Speaker, 83 percent of small businesses say this will not adversely affect them.

Mr. Speaker, it is time to pass this legislation. Sixty-four House Republicans joined all Democrats here last July in voting for a \$7.25 per hour wage under the vocational education bill.

There is simply no reason, I suggest to you, not to support this legislation. In the United States of America, the richest country on the face of the Earth, you should not be relegated to poverty if you work hard and play by the rules.

I urge my colleagues on both sides of the aisle to support this reasonable bipartisan legislation. The President of the United States has indicated that he will sign a minimum wage increase. There may be some changes that he wants, but he has recognized, as we will recognize today, that it is long past the time when we need to pay people and give them the dignity that their work demands and has earned.

Mr. Speaker, I ask unanimous consent that I be allowed to yield the balance of my time to the gentleman from California (Mr. GEORGE MILLER), who has been the leader on this issue in the House of Representatives and one of the leaders in the country and who chairs the Education and Labor Committee.

The SPEAKER pro tempore. Without objection, the gentleman from California will be permitted to control the time.

There was no objection.

Mr. McKEON. Mr. Speaker, as the minority leader's designee, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from California is recognized.

Mr. McKEON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this debate represents a series of colossal missed opportunities. The new Democratic leadership of the House promised us and the voters a fair, open, honest, and, yes, democratic process in considering major pieces of legislation. Instead, today we are stuck with unfair, closed and heavy-handed terms for our debate, terms that were tucked into an unrelated rules package less than a week ago.

Not only was that move unprecedented, but it also means that during today's debate on a minimum wage increase, what you see is what you get. No comprehensive alternative has been allowed. No amendments will be considered. In fact, I didn't even get a chance for those types of considerations before the Rules Committee because, well, the Rules Committee didn't meet on this issue. There was no hearing.

That is unfortunate because, frankly, there are Members on both sides of the aisle who support a balanced minimum wage increase, and this bill, this early in the Congress, represented an opportunity to work together toward a true, bipartisan, bicameral consensus. But we won't, and that is a colossal missed opportunity.

My colleagues will remember that last summer the Republican majority brought forward and passed legislation to increase the Federal minimum wage to \$7.25 an hour with important considerations for small businesses and their workers. Many Democrats joined us in advancing the measure. In fact, had a few more on the other side of the Capitol supported this measure, today's debate would be unnecessary because the minimum wage increase would already have taken place.

Nonetheless, I was hopeful that when we considered minimum wage legislation under the new Democratic majority we would again do so with our Nation's small businesses and their workers in mind, particularly since both the President and the Senate majority leader have indicated their willingness to forge such a consensus. But it is apparent that we are not here on this side of the Capitol, and that is a colossal missed opportunity. So later in this debate I will offer a motion to recommit that would provide them the very protections that the Democratic leadership's bill does not.

Yesterday, Mr. Speaker, my friend, the ranking Republican member on the Ways and Means Committee, Mr. McCRERY from Louisiana, and I introduced minimum wage legislation that,

quite frankly, puts the bill before us today to shame. It is a three-pronged measure that includes the same, the same, minimum wage provisions that are in the Democratic leadership's bill.

As you can see on the chart, here is the unbalanced Democratic plan. It does raise the minimum wage. Then the comprehensive Republican plan. It also raises the minimum wage from \$5.15 to \$7.25 per hour over the 2 years, in precisely the same increments as the Democrat leadership's bill.

Also identical to the Democrat leadership bill, the Working Families Wage and Access to Health Care Act that we offered yesterday would extend the Federal minimum wage to the Commonwealth of the Northern Mariana Islands. We don't stop there, however. But the Democrat leadership does, another colossal missed opportunity.

As you can see, the Working Families Wage and Access to Health Care Act not only increases the minimum wage in the same exact manner as H.R. 2, but it also would expand access to affordable health care for working families, including many families that may benefit from the wage increase. The Democratic leadership's scaled-down proposal does not include this.

For the last several Congresses, Republicans and Democrats alike have joined together behind legislation that would significantly expand access to health coverage for uninsured families across the country by creating Small Business Health Plans.

According to the U.S. Census Bureau, the number of Americans who have no health insurance is about 46.5 million. Estimates indicate 60 percent or more of the working uninsured work for or depend upon small employers who lack the ability to provide health benefits for their workers. To ease the burden on small businesses and provide meaningful benefits to those who work for them, the Working Families Wage and Access to Health Care Act would allow small businesses to join together and purchase quality health care for workers and their families at a lower cost.

Now, during today's debate, we are likely to hear from our colleagues on the other side of the aisle about how a certain percentage of the American people support a minimum wage increase. By the same token, my colleagues also should be aware that a whopping 93 percent of Americans support creating small business health plans; and 36 members of their own Democratic caucus supported them in the 109th Congress. Doing so again during this debate would not only be logical but it would be welcome news for scores of uninsured working families. But the Democratic leadership's bill won't allow for it, and our bill simply isn't allowed at all. A colossal missed opportunity.

Finally, as you can see, only the Working Families Wage and Access to Health Care Act includes a number of other important considerations for small businesses and their workers.

Small businesses create two-thirds of the Nation's new jobs, and 98 percent of the new businesses in the U.S. are small businesses. Increasing the minimum wage increases costs for small employers, and often they may be forced to respond by reducing their number of workers, scaling back benefits or hiring fewer new employees.

Given that small employers are responsible for most of the new jobs in our Nation, and practically every new business, why would we do anything to endanger their momentum? Well, you would have to ask the Democratic leadership, because that is exactly what their proposal would do. By offering small businesses and their workers important protections, the Working Families Wage and Access to Health Care Act would protect American jobs. The House Democratic leadership's scaled-down minimum wage proposal will not. A colossal missed opportunity.

Mr. Speaker, only the Republican-led Working Families Wage and Access to Health Care Act will both raise the minimum wage and protect small businesses and their workers. And only the Republican-led Working Families Wage and Access to Health Care Act will both raise the minimum wage and expand access to affordable health care for working families.

Unfortunately, due to unfair, closed, and heavy-handed tactics, only the scaled-down Democrat leadership plan is before us today. A colossal missed opportunity, not just for the House but for working families and small businesses as well.

Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, when Speaker PELOSI spoke about the first 100 hours of the 110th Congress, one of the things she said she wanted to accomplish was to begin to make the economy fairer for all Americans. Today, with this legislation to increase the minimum wage, we begin that task.

For 10 years, the lowest-paid workers in America have been frozen out of the economy of this country. They have ended up every year, after going to work every day, every week, every month, they have ended up poor, far below the poverty line of this country. They have been working at a Federal poverty wage, not a Federal minimum wage.

I am very honored today to be here supporting this legislation as the chairman of the Education and Labor Committee. I am also very honored to be sharing this legislation with our new majority leader, Mr. HOYER. Because of his activities in the last Congress, we were able to bring this issue to a head because of the amendment that he offered on the Health and

Human Services bill, where the Republicans chose not to bring the bill to the floor of the Congress, not to bring it to a vote because they wanted to deny American workers access to the minimum wage.

I consider this a new beginning and a new Congress, but I must say I cannot let the history that the gentleman from California laid out for us to suggest that that is the record. The gentleman has said numerous times in his opening statement that this is a colossal missed opportunity. Let me tell you what a colossal missed opportunity is. For the last 10 years, the Republican leadership in this House fought tooth and nail to avoid any, any opportunity to have an up-or-down vote on the minimum wage. The only time they thought the poorest workers in America were worth an increase in the minimum wage was if they could tie it to a tax cut for the wealthiest people in the United States.

□ 1100

So they never really were interested in it. They wanted to use the power of the sense of fairness that the American public had about the treatment of the poorest workers. They wanted to use that power, that sense of outrage, that sense of immorality that they had about what the Republicans were doing, to drive tax cuts for the wealthiest people in the country.

They said they were going to pass the bill and send it to the President's desk. We said it was going to die in the Senate, and it died in the Senate. And here today we see the same proposal being made. They are going to suggest that later today they are going to couple minimum wage with the wonderful health care plan for workers.

Their own CBO, the Congressional Budget Office, says that more than 75 percent of the small business workers, over 20 million workers and their dependents, would see their health insurance premiums increase as a result of this proposal. So now they are going to give these workers an increase in the minimum wage, but then they are going to increase their premiums for health insurance. What a wonderful gift from the Republican Party.

Can't you just give these workers an increase and be done with it? They have been working at a 10-year-old minimum wage, but they are paying 2007 bread prices and milk prices and energy prices and rentals. Where is the decency? Where is the decency to give these workers what they are entitled to, what everybody knows that they should have?

Not only that, but then we find out with this wonderful health plan that some 8 million workers who are currently insured will probably lose their insurance. So now they are going to, if you get insurance, they are going to increase the premiums. If you have insurance, you may lose your insurance.

This isn't what America thinks makes the economy fair. What they

think makes the economy fair is an increase in the minimum wage.

As you all know, this is the longest period in history of law without a wage increase. During that time, the minimum wage has dropped to its lowest buying power in 51 years. The Fair Minimum Wage Act of 2007 would increase the Federal minimum wage to \$7.25 an hour over three steps over the next 2 years.

Raising the minimum wage is critical to fighting the middle-class squeeze in this country. Fifty-nine percent of American workers state that they have to work harder to earn a decent living than they did 20 or 30 years ago. Since 2001, the median household incomes have fallen by \$1,300. Wages and salaries make up the lowest share of the economy in nearly six decades. Meanwhile, corporate profits, CEO buyouts, golden parachutes, golden handshakes and golden hellos take hundreds of millions, if not billions, of dollars out of the same corporations that say they can't give an increase to their workers.

While the economy is growing and the wealth of its Nation is increasing, more Americans are struggling to pay their bills. Over the last 5 years, the number of Americans living in poverty has increased from 5.4 million to 37 million. One in six children now lives in poverty.

Since 2000, prices of education, gasoline and health care have all greatly outpaced inflation. Raising the minimum wage is an important first step for the Congress in its efforts to stand up for middle class and to stem the middle-class squeeze. This raise will make a real, critical difference to millions of people's lives, and that is what America understands. You pass the minimum wage, and you dramatically change life for millions of people.

Does it solve their economic problems? Does it solve the economic stress? No, it doesn't. But it changes their lives. For a family of three, increasing the minimum wage will mean an additional \$4,400 a year, equaling 15 months of groceries or 2 years' worth of health care. That is a change in the standing of these people's lives.

Raising the minimum wage to \$7.25 an hour in 2009, taking into account the increases in family earned income tax credit will take those people who are 11 percent below the poverty level line and move them to 5 percent above the poverty line. Still close to the poverty line but beginning to make this economy fair.

It is important that we pass this legislation and we pass it free standing. It is important that we do that so we can address the needs of these families, not that we hijack their plight, not that we hijack their misery, not that we hijack the willingness of the American people to do something for them to then do something that works against them. This is very, very important, this piece of legislation, and it is important that we address the concerns of these individuals.

I am proud to say that, on this legislation, H.R. 2, its over 200 original cosponsors, and I am very proud to say we are joined by seven Republican Members who are original cosponsors of this legislation, and I want to thank so many of those Republicans who worked over the years to try to get us this vote on the minimum wage, but we weren't successful. Today is the opportunity to bring these two sides of the aisle together, to begin to make this economy fair and to help these people who struggle every day in very difficult jobs, to do the right thing, to participate in the American economy and to provide for their families. But they are not able to do it at a 10-year-old minimum wage, and we need to bring that kind of equity to it.

We are joined in support of this legislation by over 500 national and local organizations, by over 1,000 Christian, Jewish and Muslim faith leaders who have spoken out on this legislation, by the U.S. Conference of Catholic Bishops who wrote: "For us it is a matter of simple justice for a decent society." And that is what this is about today.

This is more than just the dollars and cents per hour. This is about the morality of this country. This is about the ethics of this body on whether or not these people who have been stuck at this wage for 10 years are entitled to have this modest, modest increase, and I would hope that the House would overwhelmingly support this clean vote on the minimum wage increase over the next 2 years to \$7.25.

Mr. Speaker, I reserve the balance of my time.

Mr. MCKEON. Mr. Speaker, I yield 4 minutes to the gentleman from Minnesota (Mr. KLINE), a member of the committee.

Mr. KLINE of Minnesota. Mr. Speaker, the tax relief and fiscal policies passed in recent years by, frankly, House Republicans, provide a track record of proactive and successful economic reform. As we take our first steps in the 110th Congress, we must build upon that record and ensure that any minimum wage increase includes meaningful considerations for America's small businesses, while protecting and expanding benefits for working families that depend upon them.

Less than a week ago, the Labor Department announced the creation of 167,000 new jobs in December. We have experienced more than 3 years of uninterrupted job growth that includes the creation of more than seven million new jobs since August, 2003. Worker wages have risen more than 150 percent faster than in the early 1990s. Per capita disposable income has risen over 9 percent since 2001.

Let's not stop the momentum we have built together. Let's not pass a minimum wage increase without keeping employers in mind. Let's not fall into the temptation of passing a bill that is nothing more than symbolism, lacking the necessary substance to help our economy continue to grow.

As we consider an increase in the minimum wage, we must consider the impact it will have on businesses that create two-thirds of our Nation's new jobs. I was proud to support Mr. MCKEON and Mr. MCCRERY's Working Families Wage and Access to Health Care legislation, which advances this discussion and also offers meaningful measures that will benefit those employers who bear the brunt of any minimum wage increase. If we don't support them, the cruel irony of any minimum wage increase will be a loss of jobs.

Independent studies confirm that the proposal by the House Democrats to raise the minimum wage without including considerations for those who pay the minimum wage and their workers would halt the momentum of recent economic growth dead in its tracks. According to a Federal Reserve economist, as many as one million workers in the restaurant industry alone could lose their jobs under this current proposal.

Recently, my office received a phone call from Mr. John Wiederholt, the owner of Wiederholt's Supper Club in Miesville, Minnesota, a wonderful little community of 135 people located in the heart of my district. Miesville is known for amateur baseball, a historic hamburger joint and Wiederholt's.

The Democrats scaled-down proposal would cost Mr. Wiederholt's charming supper club nearly \$2,000 a year. He says: "I've been at this 34 years. If this passes, because my waitresses get tips already, they just walked into my place and gave the highest-paid people in my place a raise."

Throughout the country, there are tens of thousands of stories just like Mr. Wiederholt's. Small businesses are the backbone of the American economy. It is absolutely essential that Congress keeps these creators of jobs in mind when we consider this legislation. We must make sure a minimum wage increase does not have harmful effects on businesses and their ability to foster job growth and provide benefits for working families.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. DONNELLY).

Mr. DONNELLY. Mr. Speaker, I rise today in strong support of H.R. 2, the Fair Minimum Wage Act, because it is long past due that we provide a pay raise to many of our country's hardest workers.

Today is a good day for the House, and it is a good day for American workers. I thank Chairman MILLER for introducing a bill whose time has come.

Mr. Speaker, a decent job, with fair pay, is a cornerstone of the foundation upon which the American Dream is built. As our minimum wage, it serves as a yardstick by which to measure other workers' pay.

Fair wages make it possible for working families to pay the rent, put food

on the table and save for the future, a home and college. Yet, for our minimum wage workers facing the rising costs of gasoline, health care, child care, rent and heating their home, \$5.15 is just not enough.

Mr. Speaker, we haven't provided a pay raise for minimum wage workers in 10 years, the longest period without adjustment since enactment of the Fair Labor Standards Act. Adjusted for inflation, its buying power is the lowest it has been in 51 years.

Adequate wages create a stronger, more efficient work force. And I know the great majority of small business owners pay their workers more than the minimum wage. In fact, in the 4 years following the last minimum wage increase, small business employment grew more in those States paying a higher minimum wage than in those States paying only the minimum wage. Paying good wages is good business sense.

Mr. Speaker, increasing the minimum wage is good economic policy, it is good social policy, and, most importantly, the people in my district in Indiana think it is just fair. It is time that this body ensures that all American workers are compensated fairly and can share in the prosperity of the American economy.

I urge my colleagues to support our workforce and pass H.R. 2.

Mr. McKEON. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. HENSARLING), the chairman of the RSC committee.

Mr. HENSARLING. Mr. Speaker, in America, we can either have maximum opportunity or we can have minimum wages. We cannot have both. In the land of the free, in a Nation as great as ours, how can we deny people their maximum opportunity, their opportunity to secure the American Dream?

Well, apparently, our Democrat colleagues can, because, for thousands, they will now replace the American Dream of boundless career opportunities instead with the nightmare of welfare dependence.

Columnist George Will recently wrote that increasing the minimum wage is "a bad idea whose time has come." And, unfortunately, Mr. Speaker, apparently that time has come.

What is the purpose? Notwithstanding the rhetoric that we hear today, the purpose of this law is really to protect skilled labor from the competition of unskilled labor. We understand the elections are over. The American people have spoken. But, apparently, now labor union bosses are collecting their chits.

Now, what is the effect of this law? Indeed, I admit, some will have a mandated pay raise in America. Those will be the lucky ones. Many more will have their hours cut, Mr. Speaker. Many will have their benefits cut due to this law, and many will lose their jobs. And again, thousands, thousands will be denied that opportunity to climb on that first rung of the eco-

nomic ladder in America and, instead, be condemned to a life of poverty. This should not happen in America.

Mr. Speaker, I recently spoke to a number of people who create jobs and hope and opportunity in America, good solid citizens from the Fifth Congressional District of Texas. I heard from David Hinds, the owner of Van Tone Created Flavors of Terrell, Texas. His company employs over 25 people in this community in my district. But he says, if we pass this increase in the minimum wage, he is going to have to lay off three, maybe four of his employees and automate his plant to use less labor.

I heard from Kevin and Jeaneane Lilly. Kevin was a guy who started out at McDonald's years ago frying up the french fries. He now owns 10 McDonald's restaurants. He says, if the Democrats act today to increase the minimum wage, they will be forced to lay off all of their part-time workers and use only full-time workers.

I spoke to Larry Peterson, who has a small business called EmbroidMe in Dallas, Texas. He says, instead of hiring three to four people at the current minimum wage, he is going to have to do with one to two higher paid, more highly skilled people, denying those other two people their rung on the economic ladder.

□ 1115

Mr. Speaker, these are just a few stories from one congressional district in Texas, but these stories are going to be replicated all over America if we pass this law.

Now, the proponents of this law say somehow it is necessary, because we have to force employers to pay fair wages. Yet I know, Mr. Speaker, that 99 percent of all Americans have their wages set by free people negotiating in a competitive marketplace.

In other words, without any interference by Congress whatsoever 99 percent of all people in the workforce were able to find work above the minimum wage. Do we not believe in the American free enterprise system anymore? The proponents also say we must raise the minimum wage to help the poor, but by and large the minimum wage workers aren't poor. Less than one in five lives below the poverty line. The average family income of a minimum wage worker is about \$40,000 a year. Very few minimum wage workers, indeed, support a family. Instead, the majority are teenagers. They are college students, and many are part-time workers.

In fact, the problem is that many poor people either cannot work or will not work. Over three-fifths of the individuals below the poverty line did not work in 2005. Only 11 percent work full time.

An increase in the minimum wage is going to do very little to help poor people who either cannot work or will not work. The way to help poor people is not to cut off the bottom rung of the

economic ladder in America. For those who feel that they want to help the poor over and above what we are already doing, I would remind them that, by and large, the working poor qualify for health care through Medicaid, through subsidies, through food stamps, housing subsidies through section 8 vouchers, energy assistance through LIHEAP, cash assistance through Earned Income Tax Credit, TANF, and the list goes on and on and on.

In fact, Mr. Speaker, there has been an explosion of anti-poverty spending at the Federal level under President Bush, up 39 percent between the years 2001 and 2005. So contrary to the protest of the other side of the aisle, there is a lot of direct government assistance here. We need to remind people again that any wage rate is better than no wage rate.

The pool of minimum wage workers is constantly changing, and as they learn new skills, they prove themselves and they climb up the economic opportunity ladder. Why do we want to deny them this opportunity?

Mr. Speaker, I have some personal experience here because I was in high school in May of 1974, when Congress promised me a pay raise. I was the bellman at the Holiday Inn in College Station, Texas, trying to put some money together to go to college. I worked my way through college.

But when Congress gave me that pay raise, guess what? I got my pink slip. That Holiday Inn was struggling. They had to lay off the two newest employees they had to make ends meet. This causes unemployment. This should be voted down.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 30 seconds.

I say, it is an interesting discussion from the other side of the aisle. It just doesn't comport with the evidence that we have in States that have passed a higher minimum wage than the Federal minimum wage. They have experienced higher job growth than those States with the low minimum wage. Overall, retail job growth between 1998 and 2006 was 10.2 percent in those States with a higher minimum wage and only 3.7 percent in the Federal minimum wage States.

Overall across all sectors it was 30 percent greater. The fact of the matter is, an increase in the minimum wage is helping the economy grow.

Mr. Speaker, I yield for 2 minutes to the gentleman from New Jersey (Mr. ANDREWS), a member of the committee who has been battling this issue long and hard.

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. I thank my friend for yielding.

Mr. Speaker, nearly 10 years ago, I sat on this floor and listened to speeches like the one my friend from Texas just gave, and we voted to raise the minimum wage. And what happened?

Unemployment went down. The economy grew. And America prospered. It will happen again if we pass this increase in the minimum wage. There have been many days since that day nearly 10 years ago. One of those days when the prescription drug bill was on the floor, the industry came, and it wanted special protection from lawsuits and special pricing. It was their day, and they got it.

When the energy bill was on the floor, the energy companies came in and wanted massive subsidies, and no crackdown on pricing. It was their day, and they got it.

When the tax bill was on the floor, the wealthiest people in the country, people making more than \$300,000 a year wanted massive tax breaks. It was their day, and they got it.

I am sorry to disappoint the opponents of the minimum wage, but this is not your day. This is the day for the people who empty the bed pans, change the bed linens, sweep the floors, and do the hardest work of America. After a 10-year wait, even though they don't have the lobbyists here, even though they don't have the political action committees here, this is their day.

This is the day we are going to raise the minimum wage, change the direction of the country, and restore economic fairness for the American economy. Join with Republicans and Democrats and independents across this country. Vote "yes" on the increase in the minimum wage.

Mr. McKEON. Mr. Speaker, I yield 30 minutes to the gentleman from Louisiana (Mr. McCRERY), the ranking member on the Ways and Means Committee.

I ask unanimous consent that he be allowed to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McCRERY. Thank you, Mr. McKEON, for allowing the Ways and Means Committee to control 30 minutes of the time in this debate.

Mr. Speaker, I yield myself so much time as I may consume.

This debate today is important. It is obviously important to a lot of people around the country who are making minimum wage or who would seek an entry-level job in our country. It is also important, though, to many small businesses around our Nation who are struggling to stay in business, struggling to create jobs, and to face the competition often from much bigger establishments that have some advantages in the marketplace. It is those small businesses that the McKeon-McCrery alternative would address today. If we are given the chance today to modify the legislation before us to include some benefits for small businesses, in our view this would greatly improve the legislation before us regarding the minimum wage.

Let me just briefly explain what that alternative would be if Members of this

House were given the opportunity to vote on it.

The minimum wage provisions would be the same as in the underlying legislation that is on the floor today. It would increase the minimum wage from \$5.15 to \$7.25 over 2 years in three increments. But it would add to that a provision from the Education and Labor Committee regarding association health plans that would make it easier for small businesses to get health insurance for their employees, and three tax provisions designed to help small businesses cope with the burden that would be placed on them by an increase in the minimum wage.

Those three tax provisions are a 1-year extension of the higher small business expensing limits. As you will recall, we passed in the last few years legislation allowing small businesses to expense up to \$100,000 of investment in their small business in the year of that investment. That provision currently is scheduled to expire at the end of 2009. This legislation, this alternative that we would like to present today, would extend that provision 1 year through 2010.

The next tax provision that would help small businesses is a 15-year depreciation period for new restaurant construction.

Now, that is important because current law allows a much shorter depreciation period, 15 years, for leasehold improvements, including restaurants, but it has to be improvements to an existing building. In the restaurant business, a lot of times to keep up with the competition and to keep market share, an owner will have to build a new facility. You can't just refurbish the old facility. You have got to build a new building to keep pace.

Under the current law though, he would have to depreciate that investment over 39 years. This provision would put him on an equal standing with those who just recently built a restaurant and are upgrading it with improvements.

So it would give a 15-year depreciation period, both to leasehold improvements for existing buildings, existing restaurants, but also a 15-year depreciation period for the construction of new restaurants.

Finally, the third tax provision that we would add to this legislation to help small businesses would be the FUTA surtax repeal, that is the unemployment payroll tax. Back in the 1970s, when we were having problems with our unemployment trust fund, and we were extending unemployment benefits across the Nation, we had to impose a surtax to bring money into the system to be able to pay the unemployment bills around the country. That debt though was paid off in the 1980s, and for whatever reason, Congress has decided to continually extend that unemployment surtax.

This bill would accelerate the expiration of that .2 percent unemployment surtax that employers have to pay

today. It would accelerate it from the end of this year 2007 to April 1 of 2007.

As you know, that surtax, that .2 surtax is imposed only on the first \$7,000 of wages, so it would most directly give relief to those employers who have those low-skilled, low-dollar employees, and would give them some immediate relief in that regard.

Mr. Speaker, our proposal is to increase the minimum wage, but also give help to those businesses that will be most adversely affected by the imposition of these increased costs for their businesses.

Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. CARNEY), who has been a long-time champion of increasing the minimum wage.

Mr. CARNEY. I would like to thank my colleague from California for the time.

Mr. Speaker, today the House will vote for bipartisan legislation aimed at increasing the minimum wage and making an important change for the families of nearly 13 million American workers.

It is unconscionable, Mr. Speaker, that the minimum wage has remained unchanged for nearly 10 years. During the past decade, consumer costs have skyrocketed. Energy, health care and education costs have all risen, while my constituents have seen their real incomes drop.

It is wrong that millions of Americans work full time and year around and still live in poverty. I am voting to give them a raise, a raise that is long overdue.

This bill will increase the minimum wage by \$2.10 an hour over 2 years. This will mean an additional \$4,400 for a family of three equaling 15 months' worth of groceries or 2 years' worth of health care. Helping them to keep up with the rising costs of these necessities is something that we have the moral obligation to do.

As the father of five, I understand, I keenly understand the impact of rising costs on a tight family budget.

Raising the minimum wage is the first step to a stronger economy for all Americans, not just for the privileged few. Our action today will make a real difference in the lives of America's working families and I am proud to vote for it, and I respectfully urge my colleagues to stand with our working families, as well.

Mr. McCRERY. Mr. Speaker, I yield 3 minutes to a member of the Ways and Means Committee, the gentleman from California (Mr. HERGER).

Mr. HERGER. Mr. Speaker, I rise in opposition to the minimum wage increase. Not only is this legislation detrimental to small business growth and job creation, but it has been brought to the floor outside the normal committee review process without the ability to consider an alternative.

I have long stood against minimum wage hikes, which increase government

interference in the labor market. Economists agree that when the cost of labor increases, it becomes more difficult for employers to hire new workers.

□ 1130

Unfortunately, the burden of wage increases falls on small businesses which produce an estimated two-thirds of all new jobs in the United States. Minimum wage job seekers, often first-time employees looking to get their foot in the door, are most harmed by such increases. It is troubling that this bill gives no thought to softening the financial impact of our engines of new job growth when we could easily combine a wage increase with tax relief to help small businesses stay competitive and keep our economy growing.

One provision not included in the minimum wage bill would extend small businesses expensing. Over the last few years, Congress has increased the expensing limit which allows firms to write off equipment purchases immediately. This allows small businesses to expand faster and hire new workers. I continue to support a permanent extension of this provision. Without extension, expensing will soon revert from its current \$100,000 back to \$25,000.

Other relief not permitted in this is the elimination of the unnecessary 2 percent unemployment surtax. I joined my friend JIM MCCRERY in the 109th Congress to end the surtax and stimulate job creation and higher wages for those same workers who might lose jobs due to a minimum wage hike.

Finally, discounting relief from the 41 percent minimum wage increase, the bill ignores other side effects, such as impacts on the workfare participants. Current law determines how long welfare beneficiaries may participate in workfare, which helps recipients develop good work habits. As the minimum wage rises, recipients have access to less work, even if that is what they most need to prepare for a new job.

Mr. Speaker, by dismissing alternatives, the majority has generated a bill whose benefits to the American workers will be negligible, side effects real, and impacts on job creation palpable. I urge my colleagues to reject this measure.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 15 seconds to submit for insertion into the RECORD a statement of 650 economists, including five Nobel laureates, that support this increase in the minimum wage and say that it will not be detrimental to the economy.

HUNDREDS OF ECONOMISTS SAY: RAISE THE MINIMUM WAGE

The minimum wage has been an important part of our nation's economy for 68 years. It is based on the principle of valuing work by establishing an hourly wage floor beneath which employers cannot pay their workers. In so doing, the minimum wage helps to equalize the imbalance in bargaining power that low-wage workers face in the labor market. The minimum wage is also an important tool in fighting poverty.

The value of the 1997 increase in the federal minimum wage has been fully eroded. The real value of today's federal minimum wage is less than it has been since 1951. Moreover, the ratio of the minimum wage to the average hourly wage of non-supervisory workers is 31 percent, its lowest level since World War II. This decline is causing hardship for low-wage workers and their families.

We believe that a modest increase in the minimum wage would improve the well-being of low-wage workers and would not have the adverse effects that critics have claimed. In particular, we share the view the Council of Economic Advisors expressed in the 1999 Economic Report of the President that "the weight of the evidence suggests that modest increases in the minimum wage have had very little or no effect on employment." While controversy about the precise employment effects of the minimum wage continues, research has shown that most of the beneficiaries are adults, most are female, and the vast majority are members of low-income working families.

As economists who are concerned about the problems facing low-wage workers, we believe the Fair Minimum Wage Act of 2005's proposed phased-in increase in the federal minimum wage to \$7.25 falls well within the range of options where the benefits to the labor market, workers, and the overall economy would be positive.

Twenty-two states and the District of Columbia have set their minimum wages above the federal level. Arizona, Colorado, Missouri, Montana, Nevada and Ohio, are considering similar measures. As with a federal increase, modest increases in state minimum wages in the range of \$1.00 to \$2.50 and indexing to protect against inflation can significantly improve the lives of low-income workers and their families, without the adverse effects that critics have claimed.

LEADING ECONOMISTS ENDORSE THIS STATEMENT

Henry Aaron, The Brookings Institution; Kenneth Arrow+, Stanford University; William Baumol+, Princeton University and New York University; Rebecca Blank, University of Michigan; Alan Blinder, Princeton University; Peter Diamond+, Massachusetts Institute of Technology; Ronald Ehrenberg, Cornell University; Clive Granger*, University of California, San Diego; Lawrence Katz, Harvard University (AEA Executive Committee); Lawrence Klein**, University of Pennsylvania; Frank Levy, Massachusetts Institute of Technology; Lawrence Mishel, Economic Policy Institute; Alice Rivlin+, The Brookings Institution (former Vice Chair of the Federal Reserve and Director of the Office of Management and Budget); Robert Solow+, Massachusetts Institute of Technology; and Joseph Stiglitz*, Columbia University.

Six hundred and fifty of their fellow economists agree.

ECONOMISTS SUPPORTING INCREASE IN MINIMUM WAGE

Katherine G. Abraham University of Maryland; Frank Ackerman Tufts University; F. Gerard Adams Northeastern University; Randy Albelda University of Massachusetts—Boston; James Albrecht Georgetown University; Jennifer Alix-Garcia University of Montana; Sylvia A. Allegretto Economic Policy Institute; Beth Almeida International Association of Machinists and Aerospace Workers; Abbas Alnasrawi University of Vermont; Gar Alperovitz University of Maryland—College Park; Joseph Altonji Yale University; Nurul Aman University of Massachusetts—Boston; Teresa L. Amott Hobart and William Smith Colleges; Alice Amsden Massachusetts Institute of Technology; Bernard E. Anderson University of Pennsyl-

vania; Robert M. Anderson University of California—Berkeley; Bahreinian Aniss California State University—Sacramento; Kate Antonovics University of California—San Diego; Eileen Appelbaum Rutgers University; David D. Arsen Michigan State University; Michael Ash University of Massachusetts—Amherst; Glen Atkinson University of Nevada—Reno; Rose-Marie Avin University of Wisconsin—Eau Claire; M.V. Lee Badgett University of Massachusetts—Amherst; Aniss Bahreinian Sacramento City College; Ron Baiman Loyola University Chicago; Asatar Bair City College of San Francisco; Katie Baird University of Washington—Tacoma; Dean Baker Center for Economic and Policy Research; Radhika Balakrishnan Marymount Manhattan College; Stephen E. Baldwin KRA Corporation; Erol Balkan Hamilton College; Jennifer Ball Washburn University; Brad Barham University of Wisconsin—Madison; Drucilla K. Barker Hollins College; David Barkin Universidad Autonoma Metropolitana; James N. Baron Yale University; Chuck Barone Dickinson College; Christopher B. Barrett Cornell University; Richard Barrett University of Montana; Laurie J. Bassi McBassi & Company; Francis M. Bator Harvard University; Rosemary Batt Cornell University; Sandy Baum Skidmore College; Amanda Bayer Swarthmore College; Sohrab Behdad Denison University; Peter F. Bell State University of New York—Purchase; Dale L. Belman Michigan State University; Michael Belzer Wayne State University; Lourdes Beneria Cornell University; Barbara R. Bergmann American University and University of Maryland; Eli Berman University of California—San Diego; Alexandra Bernasek Colorado State University; Jared Bernstein Economic Policy Institute; Michael Bernstein University of California—San Diego; Charles L. Betsey Howard University; David M. Betson University of Notre Dame; Carole Biewener Simmons College; Sherrilyn Billger Illinois State University; Richard E. Bilsborrow University of North Carolina—Chapel Hill; Cyrus Bina University of Minnesota—Morris; Melissa Binder University of New Mexico; L. Josh Bivens Economic Policy Institute; Stanley Black University of North Carolina—Chapel Hill; Ron Blackwell AFL—CIO; Margaret Blair Vanderbilt University Law School; Gail Blattenberger University of Utah; Robert A. Blecker American University; Barry Bluestone Northeastern University; Peter Bohmer Evergreen State College; David Boldt State University of West Georgia; Roger E. Bolton Williams College; James F. Booker Siena College; Jeff Bookwalter University of Montana; Barry Bosworth The Brookings Institution; Heather Boushey Center for Economic and Policy Research; Roger Even Bove West Chester University; Samuel Bowles Santa Fe Institute; James K. Boyce University of Massachusetts—Amherst; Ralph Bradburd Williams College; Michael E. Bradley University of Maryland—Baltimore County; Elissa Braunstein Colorado State University; David Breneman University of Virginia; Mark Brenner Labor Notes Magazine; Vernon M. Briggs Cornell University; Byron W. Brown Michigan State University; Christopher Brown Arkansas State University; Clair Brown University of California—Berkeley; Philip H. Brown Colby College; Michael Brun Illinois State University; Neil H. Buchanan Rutgers School of Law and New York University School of Law; Robert Buchele Smith College; Stephen Buckles Vanderbilt University; Stephen V. Burks University of Minnesota—Morris; Joyce Burnette Wabash College; Paul D. Bush California State University—Fresno; Alison Butler Wilamette University; Antonio G. Callari Franklin and Marshall College; Al Campbell University of Utah; James Campen University of Massachusetts—Boston; Maria

Cancian University of Wisconsin—Madison; Paul Cantor Norwalk Community College; Anthony Carnevale National Center on Education and the Economy; Jeffrey P. Carpenter Middlebury College; Francoise Carre University of Massachusetts—Boston; Michael J. Carter University of Massachusetts—Lowell; Susan B. Carter University of California—Riverside; Karl E. Case Wellesley College; J. Dennis Chasse State University of New York—Brookport; Howard Chernick Hunter College, City University of New York; Robert Cherry Brooklyn College—City University of New York; Graciela Chichilnisky Columbia University; Lawrence Chimierne Radnor International Consulting, Inc; Menzie D; Chinn University of Wisconsin—Madison; Charles R. Chittle Bowling Green State University; Kimberly Christensen State University of New York—Purchase; Richard D. Coe New College of Florida; Robert M. Coen Northwestern University; Steve Cohn Knox College; Rachel Connelly Bowdoin College; Karen Smith Conway University of New Hampshire; Patrick Conway University of North Carolina—Chapel Hill; David R. Cormier West Virginia University; James V. Cornells University of Texas—Arlington; Richard R. Cornwall Middlebury College; Paul N. Courant University of Michigan—Ann Arbor; James R. Crotty University of Massachusetts—Amherst; James M. Cypher California State University—Fresno; Douglas Dalenberg University of Montana; Herman E. Daly University of Maryland; Anita Dancs National Priorities Project; Nasser Daneshvary University of Nevada—Las Vegas; David Danning University of Massachusetts—Boston; Sheldon Danziger University of Michigan—Ann Arbor; Jane D'Arista Financial Markets Center; Paul Davidson The New School for Social Research; Jayne Dean Wagner College; Gregory E. DeFreitas Hofstra University; Bradford Delong University of California—Berkeley; James G. Devine Loyola Marymount College; Ranjit S. Dighe State University of New York—Oswego; John DiNardo University of Michigan—Ann Arbor; Randall Dodd Financial Policy Forum; Peter B. Doeringer Boston University; Peter Dorman Evergreen State College; Robert Drago Pennsylvania State University; Laura Dresser University of Wisconsin; Richard B. Du Boff Bryn Mawr College; Arindrajit Dube University of California—Berkeley; Marie Duggan Keene State College; Lloyd J. Dumas University of Texas—Dallas; Christopher Dunn Earth and Its People Foundation; Steven N. Durlauf University of Wisconsin—Madison; Amitava K. Dutt University of Notre Dame; Jan Dutton Rutgers University; Gary A. Dymski University of California—Riverside; Peter J. Eaton University of Missouri—Kansas City; Fritz Efaw University of Tennessee—Chattanooga; Catherine S. Elliott New College of Florida; Richard W. England University of New Hampshire; Ernie Englander George Washington University; Gerald Epstein University of Massachusetts—Amherst; Sharon J. Erenburg Eastern Michigan University; Susan L. Ettner University of California—Los Angeles; Linda Ewing United Auto Workers; Colleen A. Fahy Assumption College; Loretta Fairchild Nebraska Wesleyan University; David Fairris University of California—Riverside; Warren E. Farb International Capital Mobility Domestic Investment; Martin Farnham University of Victoria; Jeff Faux Economic Policy Institute; Susan Fayazmanesh California State University—Fresno; Rashi Fein Harvard Medical School; Robert M. Feinberg American University; Susan F. Feiner University of Southern Maine; Marshall Feldman University of Rhode Island; Marianne A. Ferber University of Illinois—Urbana-Champaign; William D. Ferguson Grinnell College;

Rudy Fichtenbaum Wright State University; Deborah M. Figart Richard Stockton College; Bart D. Fmzel University of Minnesota—Morris; Lydia Fischer United Auto Workers, retired; Peter Fisher University of Iowa; John Fitzgerald Bowdoin College; Sean Flaherty Franklin and Marshall College; Kenneth Flamm University of Texas—Austin; Maria S. Floro American University; Nancy Folbre University of Massachusetts—Amherst; Christina M. Fong Carnegie Mellon University; Catherine Forman Quinnipiac University; Harold A. Forman United Food and Commercial Workers; Mathew Forstater University of Missouri—Kansas City; Liana Fox Economic Policy Institute; Donald G. Freeman Sam Houston State University; Gerald Friedman University of Massachusetts—Amherst; Sheldon Friedman AFL—CIO; Alan Frishman Hobart and William Smith Colleges; Scott T. Fullwiler Wartburg College; Kevin Furey Chemeketa Community College; Jason Furman New York University; David Gabel Queens College; James K. Galbraith University of Texas—Austin; Monica Galizzi University of Massachusetts—Lowell; David E. Gallo California State University—Chico; Byron Gangnes University of Hawaii—Manoa; Irwin Garfinkel Columbia University; Rob Garnett Texas Christian University; Garance Genicot Georgetown University; Christophe Georges Hamilton College; Malcolm Getz Vanderbilt University; Teresa Ghilarducci University of Notre Dame; Karen J. Gibson Portland State University; Richard J. Gilbert University of California—Berkeley; Helen Lachs Ginsburg Brooklyn College—City University of New York; Herbert Gintis University of Massachusetts—Amherst; Neil Gladstein International Association of Machinists and Aerospace Workers; Amy Glasmeier Penn State University; Norman J. Glickman Rutgers University; Robert Glover University of Texas—Austin; Arthur S. Goldberger University of Wisconsin—Madison; Lonnie Golden Penn State University—Abington College; Dan Goldhaber University of Washington; Marshall I. Goldman Wellesley College; Steven M. Goldman University of California—Berkeley; William W. Goldsmith Cornell University; Donald Goldstein Allegheny College; Nance Goldstein University of Southern Maine; Nick Gomersall Luther College; Eban S. Goodstein Lewis and Clark College; Neva Goodwin Tufts University; Roger Gordon University of California—San Diego; Peter Gottschalk Boston College; Elise Gould Economic Policy Institute; Harvey Gram Queens College, City University of New York; Jim Grant Lewis & Clark College; Ulla Grapard Colgate University; Daphne Greenwood University of Colorado—Colorado Springs; Karl Gregory Oakland University; Christopher Gunn Hobart and William Smith Colleges; Steven C. Hackett Humboldt State University; Joseph E. Harrington Johns Hopkins University; Douglas N. Harris Florida State University; Jonathan M. Harris Tufts University; Martin Hart; Landsberg Lewis & Clark College; Robert Haveman University of Wisconsin—Madison; Sue Headlee American University; Carol E. Heim University of Massachusetts—Amherst; James Heintz University of Massachusetts—Amherst; Paul A. Heise Lebanon Valley College; Susan Helper Case Western Reserve University; John F. Henry University of Missouri—Kansas City; Barry Herman The New School; Edward S. Herman University of Pennsylvania; Guillermo E. Herrera Bowdoin College; Joni Hersch Vanderbilt University Law School; Thomas Hertel Purdue University; Steven Herzenberg Keystone Research Center; Donald D. Hester University of Wisconsin—Madison; Gillian Hewitson Franklin and Marshall College; Bert G. Hickman Stanford University; Marianne T. Hill Center for Policy Re-

search and Planning; Martha S. Hill University of Michigan—Ann Arbor; Michael G. Hillard University of Southern Maine; Rod Hissong University of Texas—Arlington; P. Sai-Wing Ho University of Denver; Emily P. Hoffman Western Michigan University; Harry J. Holzer Georgetown University and Urban Institute; Marjorie Honig Hunter College, City University of New York; Barbara E. Hopkins Wright State University; Mark R. Hopkins Gettysburg College; Ann Horowitz University of Florida; Ismael Hossein; Zadeh Drake University; Charles W. Howe University of Colorado—Boulder; Candace Howes Connecticut College; Frank M. Howland Wabash College; David C. Huffman Bridgewater College; Saul H. Hymans University of Michigan—Ann Arbor; Frederick S. Inaba Washington State University; Alan G. Isaac American University; Doreen Isenberg University of Redlands; Jonathan Isham Middlebury College; Sanford M. Jacoby University of California—Los Angeles; Robert G. James California State University—Chico; Kenneth P. Jameson University of Utah; Russell A. Janis University of Massachusetts—Amherst; Elizabeth J. Jensen Hamilton College; Pascale Joassart University of Massachusetts—Boston; Jerome Joffe St. John's University; Laurie Johnson University of Denver; William Johnson Arizona State University; Lawrence D. Jones University of British Columbia; Alexander J. Julius New York University; Bernard Jump Syracuse University; Fadel Kahboub Drew University; Shulamit Kahn Boston University; Linda Kamas Santa Clara University; Sheila B. Kamerman Columbia University; John Kane State University of New York—Oswego; Billie Kanter California State University—Chico; J.K. Kapler University of Massachusetts—Boston; Roger T. Kaufman Smith College; David E. Kaun University of California—Santa Cruz; Thomas A. Kemp University of Wisconsin—Eau Claire; Peter B. Kenen Princeton University; Farida C. Khan University of Wisconsin—Parks ide; Kwan S. Kim University of Notre Dame; Marlene Kim University of Massachusetts—Boston; Christopher T. King University of Texas—Austin; Mary C. King Portland State University; Lori G. Kletzer University of California—Santa Cruz; Janet T. Knoedler Bucknell University; Tim Koechlin Vassar College; Andrew I. Kohen James Madison University; Denise Eby Konan University of Hawaii—Manoa; Ebru Kongar Dickinson College; James Konow Loyola Marymount University; Krishna Kool University of Rio Grande; Douglas Koritz Buffalo State College; Daniel J. Kovenock Purdue University; Kate Krause University of New Mexico; Vadaken N. Krishnan Bowling Green State University; Douglas Kruse Rutgers University; David Laibman Brooklyn College—City University of New York; Robert M. La; Jeunesse University of Newcastle; Kevin Lang Boston University; Catherine Langlois Georgetown University; Mehrene Larudee DePaul University; Gary A. Latanich Arkansas State University; Robert Z. Lawrence Harvard University—Kennedy School of Government; Daniel Lawson Drew University; William Lazonick University of Massachusetts—Lowell; Joelle J. Leclaire Buffalo State College; Frederic S. Lee University of Missouri Kansas City; Marvin Lee San Jose State University; Sang-Hyop Lee University of Hawaii—Manoa; Woonjin Lee University of Massachusetts—Amherst; Thomas D. Legg University of Minnesota; J. Paul Leigh University of California—Davis; Charles Levenstein University of Massachusetts—Lowell; Margaret C. Levenstein University of Michigan—Ann Arbor I Henry M. Levin Columbia University; Herbert S. Levine University of Pennsylvania; Mark Levinson Economic Policy Institute; Oren M. Levin-

Waldman Metropolitan College of New York; Mark K. Levitan Community Service Society of New York; Stephen Levy Center for Continuing Study of California Economy; Arthur Lewbel Boston College; Lynne Y. Lewis Bates College; David L. Lindauer Wellesley College; Victor D. Lippit University of California—Riverside; Pamela J. Loprest Urban Institute; Richard Lotspeich Indiana State University; Michael C. Lovell Wesleyan University; Milton Lower Retired Senior Economist, U.S. House of Representatives; Stephanie Luce University of Massachusetts—Amherst; Robert Lucore United American Nurses; Jens Otto Ludwig Georgetown University; Dan Luria Michigan Manufacturing Technology Center; Devon Lynch University of Denver; Lisa M. Lynch Tufts University; Robert G. Lynch Washington College; Catherine Lynde University of Massachusetts—Boston; Arthur MacEwan University of Massachusetts—Boston; Hasan MacNeil California State University—Chico; Allan MacNeill Webster University; Craig R. MacPhee University of Nebraska—Lincoln; Diane J. Macunovich University of Redlands; Janice F. Madden University of Pennsylvania; Mark H. Maier Glendale Community College; Thomas N. Maloney University of Utah; Jay R. Mandie Colgate University; Andrea Maneschi Vanderbilt University; Garth Mangum University of Utah; Catherine L. Mann Brandeis University; Don Mar San Francisco State University; Dave E. Marcotte University of Maryland—Baltimore County; Robert A. Margo Boston University; Ann R. Markusen University of Minnesota—Twin Cities; Ray Marshall University of Texas LBJ School of Public Affairs; Stephen Martin Purdue University; Patrick L. Mason Florida State University; Thomas Masterson Westfield State College; Julie A. Matthaei Wellesley College; Peter Hans Matthews Middlebury College; Anne Mayhew University of Tennessee—Knoxville; Alan K. McAdams Cornell University; Timothy D. McBride St. Louis University School of Public Health; Elaine McCrate University of Vermont; Kate McGovern Springfield College; Richard D. McGrath Armstrong Atlantic State University; Richard McIntyre University of Rhode Island; Hannah McKinney Kalamazoo College; Judith Record McKinney Hobart and William Smith Colleges; Andrew McLennan University of Sydney; Charles W. McMillion MBG Information Services; Ellen Meara Harvard Medical School; Martin Melkonian Hofstra University; Jo Beth Mertens Hobart and William Smith Colleges; Peter B. Meyer University of Louisville and Northern Kentucky University; Thomas R. Michl Colgate University; Edward Miguel University of California—Berkeley; William Milberg The New School; John A. Miller Wheaton College; S.M. Miller Cambridge Institute and Boston University; Jerry Miner Syracuse University; Daniel J.B. Mitchell University of California—Los Angeles; Edward B. Montgomery University of Maryland; Sarah Montgomery Mount Holyoke College; Robert E. Moore Georgia State University; Barbara A. Morgan Johns Hopkins University; John R. Morris University of Colorado—Denver; Monique Morrissey Economic Policy Institute; Lawrence B. Morse North Carolina A&T State University; Saeed Mortazavi Humboldt State University; Fred Moseley Mount Holyoke College; Philip I. Moss University of Massachusetts—Lowell; Tracy Mott University of Denver; Steven D. Mullins Drury University; Alicia H. Munnell Boston College; Richard J. Murnane Harvard University; Matthew D. Murphy Gainesville State College; Michael Murray Bates College; Peggy B. Musgrave University of California—Santa Cruz; Richard A. Musgrave Harvard University; Ellen Mutari Richard Stockton College; Sirisha Naidu Wright

State University; Michele Naples The College of New Jersey; Tara Natarajan St. Michael's College; Julie A. Nelson Tufts University; Reynold F. Nesiba Augustana College; Donald A. Nichols University of Wisconsin—Madison; Eric Nilsson California State University—San Bernardino; Laurie Nisonoff Hampshire College; Emily Northrop Southwestern University; Bruce Norton San Antonio College; Stephen A. O'Connell Swarthmore College; Mehmet Odekon Skidmore College; Paulette Olson Wright State University; Paul Ong University of California—Los Angeles; Van Doorn Ooms Committee for Economic Development; Jonathan M. Orszag Competition Policy Associates, Inc.; Paul Osterman Massachusetts Institute of Technology; Shaianne T. Osterreich Ithaca College; Rudolph A. Oswald George Meany Labor Studies Center; Spencer J. Pack Connecticut College; Arnold Packer Johns Hopkins University; Dimitri B. Papadimitriou The Levy Economic Institute of Bard College; James A. Parrott Fiscal Policy Institute; Manuel Pastor University of California—Santa Cruz; Eva A. Paus Mount Holyoke College; Jim Peach New Mexico State University; M. Stephen Pendleton Buffalo State College; Michael Perelman California State University—Chico; Kenneth Peres Communications Workers of America; George L. Perry The Brookings Institution; Joseph Persky University of Illinois—Chicago; Karen A. Pfeifer Smith College; Bruce Pietrykowski University of Michigan—Dearborn; Michael J. Piore Massachusetts Institute of Technology; Karen R. Polenske Massachusetts Institute of Technology; Robert Pollin University of Massachusetts—Amherst; Marshall Pomer Macroeconomic Policy Institute; Tod Porter Youngstown State University; Shirley L. Porterfield University of Missouri—St. Louis; Michael J. Potepan San Francisco State University; Marilyn Power Sarah Lawrence College; Thomas Power University of Montana; Robert E. Prash Middlebury College; Mark A. Price Keystone Research Center; Jean L. Pyle University of Massachusetts—Lowell; Paddy Quick St. Francis College; John M. Quigley University of California—Berkeley; Willard W. Radell, Jr. Indiana University of Pennsylvania; Fredric Raines Washington University in St. Louis; Steven Raphael University of California—Berkeley; Salim Rashid University of Illinois—Urbana—Champaign; Wendy L. Rayack Wesleyan University; Randall Reback Barnard College, Columbia University; Robert Rebelein Vassar College; James B. Rebitzer Case Western Reserve University; Daniel I. Rees University of Colorado—Denver; Michael Reich University of California—Berkeley; Robert B. Reich University of California—Berkeley; Cordelia Reimers Hunter College and The Graduate Center—City University of New York; Donald Renner Minnesota State University—Mankato; Trudi Renwick Fiscal Policy Institute; Andrew Reschovsky University of Wisconsin—Madison; Lee A. Reynis University of New Mexico; Daniel Richards Tufts University; Bruce Roberts University of Southern Maine; Barbara J. Robles Arizona State University; John Roche St. John Fisher College; Charles P. Rock Rollins College; William M. Rodgers III Rutgers University; Dani Rodrik Harvard University; John E. Roemer Yale University; William O. Rohlfs Drury University; Gerard Roland University of California—Berkeley; Frank Roosevelt Sarah Lawrence College; Jaime Ros University of Notre Dame; Nancy E. Rose California State University—San Bernardino; Howard F. Rosen Trade Adjustment Assistance Coalition; Joshua L. Rosenbloom University of Kansas; William W. Ross Fu Associates, Ltd.; Roy J. Rothelm Skidmore College; Jesse Rothstein Princeton University; Geoffrey Rothwell Stanford Uni-

versity; Joydeep Roy Economic Policy Institute; David Runsten Community Alliance with Family Farmers; Lynda Rush California State Polytechnic University—Pomona; Gregory M. Saltzman Albion College and the University of Michigan; Sydney Saltzman Cornell University; Dominick Salvatore Fordham University; Blair Sandler San Francisco, California; Daniel E. Saros Valparaiso University; Michael Sattinger University at Albany; Dawn Saunders Castleton State College; Larry Sawers American University; Max Sawicky Economic Policy Institute; Peter V. Schaeffer West Virginia University; William C. Schauliel University of West Georgia; A. Allan Schmid Michigan State University; Stephen J. Schmidt Union College; John Schmitt Center for Economic and Policy Research; Juliet B. Schor Boston College; C. Heike Schotten University of Massachusetts—Boston; Eric A. Schutz Rollins College; Elliot Sclar Columbia University; Allen J. Scott University of California—Los Angeles; Bruce R. Scott Harvard Business School; Robert Scott Economic Policy Institute; Stephauie Segundo University of Vermont; Laurence Seidman University of Delaware; Janet Seiz Grinnell College; Willi Semmler The New School; Mina Zeynep Senses Johns Hopkins University; Jean Shackelford Bucknell University; Harry G. Shaffer University of Kansas; Sumitra Shah St. John's University; Robert J. Shapiro Sonecon LLC; Mohammed Sharif University of Rhode Island; Lois B. Shaw Institute for Women's Policy Research; Heidi Shierholz University of Toronto; Deep Shikha College of St. Catherine; Richard L. Shirey Siena College; Steven Shulman Colorado State University; Laurence Shute California State Polytechnic University—Pomona; Stephen J. Silvia American University; Michael E. Simmons North Carolina A&T State University; Margaret C. Simms Joint Center for Political and Economic Studies; Chris Skelley Rollins College; Max J. Skidmore University of Missouri—Kansas City; Peter Skott University of Massachusetts—Amherst; Courtenay M. Slater Arlington, Virginia; Timothy M. Smeeding Syracuse University; Janet Spitz College of Saint Rose; William Spriggs Howard University; James L. Starkey University of Rhode Island; Martha A. Starr American University; Howard Stein University of Michigan—Ann Arbor; Mary Huff Stevenson University of Massachusetts—Boston; James B. Stewart Pennsylvania State University; Jeffrey Stewart Northern Kentucky University; Robert J. Stonebraker Winthrop University; Michael Storper University of California—Los Angeles; Diana Strassmann Rice University; Cornelia J. Strawser Consultant; Frederick R. Strobel New College of Florida; James I. Sturgeon University of Missouri—Kansas City; David M. Sturges Colgate University; William A. Sundstrom Santa Clara University; Jonathan Sunshine Reston, Virginia; Paul Swaim Organisation for Economic Co-operation and Development; Craig Swan University of Minnesota—Twin Cities; Paul A. Swanson William Paterson University; William K. Tabb Queens College; Peter Temin Massachusetts Institute of Technology; Judith Tendler Massachusetts Institute of Technology; David Terkla University of Massachusetts—Boston; Kenneth Thomas University of Missouri—St. Louis; Frank Thompson University of Michigan—Ann Arbor; Ross D. Thomson University of Vermont; Emanuel D. Thorne Brooklyn College—City University of New York; Jill Tiefenthaler Colgate University; Thomas H. Tietenberg Colby College; Chris Tilly University of Massachusetts—Lowell; Renee Toback Empire State College; Mayo C. Toruño California State University—San Bernardino; W. Scott Trees Siena College; A.

Dale Tussing Syracuse University; James Tybout Penn State University; Christopher Udry Yale University; Daniel A. Underwood Peninsula College; Lynn Unruh University of Central Florida; Leanne Ussher Queens College, City University of New York; David Vail Bowdoin College; Vivian Grace Valdmanis University of the Sciences in Philadelphia; William Van Lear Belmont Abbey College; Lane Vanderslice Hunger Notes; Lise Vesterlund University of Pittsburgh; Michael G. Vogt Eastern Michigan University; Paula B. Voos Rutgers University; Mark Votruba Case Western Reserve University; Susan Vroman Georgetown University; Howard M. Wachtel American University; Jeffrey Waddoups University of Nevada—Las Vegas; Norman Waitzman University of Utah; Lawrence A. Waldman University of New Mexico; John F. Walker Portland State University; William Waller Hobart and William Smith Colleges; Jennifer Warlick University of Notre Dame; Matthew Warning University of Puget Sound; Bernard Wasow The Century Foundation; Robert W. Wassmer California State University—Sacramento; Sidney Weintraub Center for Strategic and International Studies; Mark Weisbrot Center for Economic and Policy Research; Charles L. Weise Gettysburg College; Thomas E. Weisskopf University of Michigan—Ann Arbor; Christian E. Weller Center for American Progress; Fred M. Westfield Vanderbilt University; Charles J. Whalen Perspectives on Work; Cathleen L. Whiting Williamette University; Howard Wial The Brookings Institution; Linda Wilcox Young Southern Oregon University; Arthur R. Williams Rochester—Minnesota; Robert G. Williams Guilford College; John Willoughby American University; Valerie Rawlston Wilson National Urban League; Jon D. Wisman American University; Barbara L. Wolfe University of Wisconsin—Madison; Edward Wolff New York University; Martin Wolfson University of Notre Dame; Brenda Wyss Wheaton College; Yavuz Yasar University of Denver; Anne Yeagle University of Utah; Erinc Yelden University of Massachusetts—Amherst; Ben E. Young University of Missouri—Kansas City; Edward G. Young University of Wisconsin—Eau Claire; June Zaccone National Jobs for All Coalition and Hofstra University; Ajit Zacharias Levy Economics Institute of Bard College; David A. Zalewski Providence College; Henry W. Zaretsky Henry W. Zaretsky & Associates, Inc.; Jim Zelenski Regis University; Andrew Zimbalist Smith College; and John Zysman University of California—Berkeley.

Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY), a member of the committee and a long-time proponent of increasing the minimum wage and making our economy fairer.

Ms. WOOLSEY. Mr. Speaker, 40 years ago, I was a single mother with three small children; and although I was employed, I was forced to go on welfare. I know what it is like to try to get by on a paycheck that is not enough to meet ends.

Like my experience, today there are many, many Americans who are working so hard who are earning the minimum wage who are still coming up short. And, Mr. Speaker, the majority of these Americans are women and most of them have children. They put in a full 40-hour work week. They still live below the poverty line.

This is absolutely unacceptable, because in a prosperous Nation like ours

it should be a violation of a person's civil rights not to provide adequate compensation for their work.

Mr. Speaker, we must ensure that working people earn enough to care for themselves and their families.

I urge my colleagues to support H.R. 2 and support the millions of working Americans who so desperately need a raise in the minimum wage.

Mr. McCRERY. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia, a member of the Ways and Means Committee, Mr. LINDER.

Mr. LINDER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise to oppose this political effort to fix prices. Dr. Milton Friedman spoke on this issue 31 years ago. He noted that the proponents of increasing the minimum wage are well-meaning do-gooders, but they are playing politics with people's futures.

These ideas always have two groups of sponsors, the well-meaning do-gooders and the special interests who are using the do-gooders as front men.

Since there is absolutely no positive objective achieved by a minimum wage other than costing beginning workers their jobs, the real purpose is to reduce competition for unions so that it is easier to maintain the wages of their privileged members higher than the others.

The minimum wage says that employers must discriminate against those with low skills. If you have a job that is worth \$5 an hour, you may not employ that person. It is illegal.

So who pays? The 1981 Minimum Wage Study Commission concluded that a 10 percent increase in the minimum wage reduced teenage employment by 1 to 3 percent. From 1981 to 1990, the minimum wage did not rise, and teen unemployment fell from 25 percent to 15 percent. After the 1990 increase, teen unemployment rose to more than 20 percent. The 46 percent rise between 1977 and 1981 cost 644,000 jobs among teens alone.

Who else pays? Small business. A small business with five minimum wage positions would face more than \$21,000 in additional wage costs. That does not include increases in payroll and unemployment taxes nor wage demands from other employees looking to stay ahead of the minimum wage. For many businesses, small businesses, a higher minimum wage simply equates to a major tax hike. That is what this is.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. SIRES).

Mr. SIRES. Mr. Speaker, I thank the gentleman for yielding me this time.

Members, I rise in support of H.R. 2. I am proud to be a Member of Congress at a time when I can help the nearly 13 million American workers that will benefit from an increase in the minimum wage, including the almost 2.8 million Hispanic workers whose quality of life will be greatly improved by this legislation.

For the past 9 years, America's working families have not received a pay raise. Today, minimum wage employees working 40 hours a week, 52 weeks a year, earn \$5,000 below the poverty level for a family of three. How can we allow so many hardworking families to live in poverty?

Increasing the minimum wage to \$7.25 an hour will give our working families an additional \$4,400 a year. This will help them meet critical needs such as rent, health care, child care, and food. I urge all Members to please support this legislation.

In this 110th Congress, we must reaffirm the American Dream that rewards hard work with good pay and the opportunity to support strong and healthy families. An increase in the minimum wage will help us achieve this goal. I urge all of my colleagues to support this legislation.

Mr. McCRERY. Mr. Speaker, I include in the RECORD a report from the Congressional Budget Office as to the cost to State, local, and tribal governments and to the private sector of the provisions of the legislation before us; simply about \$1 billion to governments and about \$16 billion to the private sector, mostly small businesses.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, December 29, 2006.

Hon. WILLIAM "BILL" M. THOMAS,
Chairman, Committee on Ways and Means,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am pleased to respond, in the attachment to this letter, to your questions about the potential effects on government revenues and outlays that could result from enactment of an increase in the federal minimum wage rate from \$5.15 to \$7.25 per hour.

In addition, at the request of Congressman McKeon, CBO has prepared a cost estimate (dated December 29, 2006) for H.R. 2429, the Fair Minimum Wage Act of 2005, which would raise the minimum wage to \$7.25 in three steps over a two-year period. A copy of that estimate is also attached.

If you require additional information about the effects of increases in the minimum wage, CBO will be pleased to provide it. The staff contacts are Paul Cullinan, Ralph Smith, and Mark Booth.

Sincerely,

DONALD B. MARRON,
Acting Director.

Attachments.

CONGRESSIONAL BUDGET OFFICE RESPONSES
TO QUESTIONS POSED BY CONGRESSMAN
THOMAS ABOUT THE EFFECTS OF INCREASING
THE FEDERAL MINIMUM WAGE

Question. How many workers currently earning under or just above \$7.25 an hour would be affected? Does CBO believe that a higher minimum wage will result in increased unemployment among this group?

Answer. According to data from the Current Population Survey, in October 2006, there were approximately 8.4 million workers usually paid on an hourly wage basis whose wage rate was between \$5.15, the current federal minimum wage rate, and \$7.25; two-thirds of them were paid more than \$6.00 per hour.

The number of workers at or just above the federal minimum wage rate has been declining and is expected to continue to decline because of market forces and actions taken by many states. As of October 2006, 20 states and the District of Columbia had laws that required employers covered by their legislation to pay wage rates above \$5.15 per hour.

In 2007, eight more states will fall in that category. Some states, including California and Massachusetts, will have minimum wage rates above \$7.25. Thus, the number of people that would be directly affected by an increase in the federal minimum wage rate and the magnitude of the wage adjustments that would be required of employers are expected to diminish over time.

The potential employment and unemployment impacts of raising the federal minimum wage rate to \$7.25 per hour are difficult to predict, but are likely to be small. Economists have devoted considerable energy to the task of estimating how employers would respond to such a mandate. Although most economists would agree that an increase in the minimum wage rate would cause firms to employ fewer low-wage workers, there is considerable disagreement about the magnitude of the reduction. The main reason for that disagreement is the difficulty in distinguishing the effects on employment that were attributable to past changes in the minimum wage from those that were attributable to other changes in the labor market.

Moreover, the results of such analyses are difficult to apply to future changes because labor market conditions will be different. Many of the attempts to estimate the employment impacts of increases in the minimum wage were based on data from periods in which the federal minimum wage was much higher, as a percentage of average wages, than it is now or will be when any proposed increases would take effect. Likewise, the number of people paid at the federal minimum wage rate is much smaller now than it was prior to previous increases even though the labor force has grown significantly.

Employers could respond to an increase in the federal minimum wage in many different ways. Some would reduce the number of workers they employed or cut back on the number of hours worked by some of their employees. Because many of the workers in the affected wage range are on part-time schedules, reducing the hours of employment might be easier to do than it would be if all workers were employed on fixed eight-hour schedules.

Other ways that employers might respond to an increase in the federal minimum wage would not involve adjustments in employment levels or hours. Employers might screen job applicants more closely to select employees from whom they would expect higher productivity. Some employers might reduce fringe benefits for their employees. Some employers might attempt to pass along at least a portion of the additional payroll costs to their customers by raising prices. They might be successful in doing so if their competitors were also faced with higher labor costs because of the increase in the minimum wage.

Any reductions in the growth in employment resulting from such an increase in the minimum wage rate would not necessarily result in a corresponding increase in unemployment—that is, the number of people actively seeking work. The impact on the level of unemployment would also depend on how the changes in work opportunities resulting from an increase in the minimum wage rate affected people's decisions about participating in the labor force.

Question. Does CBO expect there to be any increased or decreased spending on work support programs such as the Earned Income Tax Credit, Medicaid, or Food Stamps? Is there an expected increase or decrease in the number of people participating in these anti-poverty programs as a result of higher wages resulting from the minimum wage?

Answer. The increases in the minimum wage on the order of magnitude suggested in

your letter could affect federal spending, but the Congressional Budget Office (CBO) judges that those effects would be small. Moreover, whether those impacts would be an increase or decrease in spending is uncertain because the result would depend on the income and family characteristics of the affected individuals. Some workers would see their incomes increased, but others might see their work hours and earnings decline (or sometimes eliminated completely) as employers responded to the increase in the minimum wage. CBO expects that, in many cases, those groups of workers would have similar characteristics and therefore similar tendencies to participate in public programs. For those workers newly unemployed, increased participation in assistance programs would generate significant additional costs on a per-case basis, but decreased costs for workers with increased earnings would offset most or all of that effect.

The majority of minimum-wage workers do not receive any benefits under the Earned Income Tax Credit (EITC), Food Stamp program, or Medicaid. Those eligible for EITC payments could receive either higher or lower payments depending on whether or not they were in the "phase-in" or the "phase-out" income ranges. Workers would lose EITC payments if they were in the phase-out range and received higher earnings, and they would gain EITC payments if they were in the phase-in range and received higher earnings, within limits. CBO's analysis suggests that more affected workers are in the phase-out range than in the phase-in range. However, the implicit tax rate for EITC recipients in the phase-out range is generally much lower than the rate of benefit accrual for recipients in the phase-in range. As a result, CBO's preliminary analysis suggests that the phase-in and phase-out effects would virtually offset each other and total EITC payments would be little changed.

Food Stamp benefits would fall for some workers, but could rise for others if they were among those in the labor force who saw their work hours decline. Similarly, some Medicaid recipients would reach income levels that would make them ineligible for that coverage, while others whose work hours were diminished might become eligible.

Question. Will there be significant increases in the amount of payroll or income taxes collected as a result of the increased income from affected workers?

Answer. CBO's estimate of the potential effects of an increase in the minimum wage on federal revenues is similar to that for spending—the impact would be small and of indeterminate direction. The effective tax rates for workers whose income would rise are not likely to be very different from those who might see their hours and earnings decreased. Those effective tax rates reflect payroll taxes (for Social Security, Medicare, and Unemployment Insurance) and income taxes.

Question. What effect will the increased minimum wage have on the unemployment insurance program? Does CBO expect that state unemployment payroll taxes will need to be increased or that unemployment benefit payments will increase as a result of any unemployment resulting from the increase in the minimum wage?

Answer. CBO estimates that increases in the minimum wage would have a negligible effect on the unemployment insurance (UI) program. Unemployment benefits might rise slightly from any increase in unemployment that might ensue, but only a very small share of minimum-wage workers end up qualifying for benefits. Initially, taxes under the program could rise or fall depending on what happened to earnings under the annual cap on taxable wages. Moreover, to the ex-

tent that the balances in the state UI accounts deviated from a state's desired position, the state would adjust its tax rates and benefit provisions to offset those deviations, CBO assumes. Thus, CBO expects the net effect on the UI program to be neutral over time.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE
H.R. 2429—*Fair Minimum Wage Act of 2005*

Summary: H.R. 2429 would amend the Fair Labor Standards Act (FLSA) to increase the federal minimum wage in three steps from \$5.15 per hour to \$7.25 per hour. The bill also would apply the minimum wage provisions of the FLSA to the Commonwealth of the Northern Mariana Islands (CNMI). The Congressional Budget Office (CBO) estimates that enactment of an identical bill in the next Congress would have no significant effect on the direct spending and revenues of the federal government. Because a very small number of federal employees are paid the federal minimum wage, the bill would have a minor effect on the budgets of federal agencies that are controlled through annual appropriations.

The bill would impose mandates, as defined by the Unfunded Mandates Reform Act (UMRA), on some state and local governments, Indian tribes, and private-sector employers because it would require them to pay higher wages than they are required to pay under current law. The bill also would preempt the minimum wage laws of the CNMI. CBO estimates that the costs to state, local, and tribal governments and to the private sector would exceed the thresholds established by UMRA. (The thresholds in 2007 are \$66 million for intergovernmental mandates and \$131 million for private-sector mandates, both adjusted annually for inflation.)

For the purposes of this estimate, CBO assumes the legislation will be enacted by March 1, 2007. If so, the minimum wage would rise from \$5.15 to \$5.85 on May 1, 2007, to \$6.55 on May 1, 2008, and to \$7.25 on May 1, 2009.

Estimated cost to the Federal Government: CBO estimates that enacting H.R. 2429 would have no significant effects on the federal budget.

Affected workers and their families could experience changes to their incomes that would affect the benefits they receive from federal programs such as the Earned Income Tax Credit (EITC), Food Stamps, and Medicaid. However, CBO judges that in aggregate any such impacts would be small, and could result in either higher or lower spending in those programs. Most workers in the affected wage range do not currently participate in those programs. CBO's analysis of the EITC indicates that those workers who are in the earnings range where the EITC is phased out would receive reduced payments that would virtually offset the additional benefits received by those in the phase-in range. Similarly, those Food Stamp participants whose earnings rose would receive fewer benefits, but workers who could not find work at the higher wages or whose hours were cut back would likely claim higher benefits.

The potential revenue effects are similar—small and of indeterminate direction. CBO expects that the workers with increased earnings would have characteristics similar to those whose incomes fall as a result of unemployment or reduced hours. Consequently, the marginal tax rates for the two groups would be comparable, and the changes in the minimum wage would result in little change in aggregate tax revenues.

Intergovernmental and private-sector impact: The amendment would impose both intergovernmental and private-sector mandates, as defined in UMRA, because it would require employers to pay higher wages than

they are required to pay under current law. In addition, it would preempt the minimum wage laws of the CNMI. That preemption also is considered a mandate.

To estimate the direct cost to employers of raising the minimum wage (that is, the cost of the new requirement absent any change in their behavior), CBO used information on the number of workers whose wages would be affected in May 2007 and subsequent months, the wage rates these workers would receive in the absence of the bill, and the number of hours for which they would be compensated. The estimate was made in two steps. First, CBO used data from the Current Population Survey to estimate how much it would have cost employers to comply with the mandate had they been required to do so in late 2006. Second, that estimate was used to project the costs to employers beginning in May 2007, taking into account the expected decline over time in the number of workers in the relevant wage range. Those estimates take into account the fact that some states already have, or will have, minimum wages higher than the current federal minimum wage.

CBO estimates that the costs to state, local, and tribal governments would exceed the threshold established by UMRRA for intergovernmental mandates (\$66 million in 2007, adjusted annually for inflation) in each year beginning in fiscal year 2008. We also estimate that the costs to the private sector would exceed the annual threshold established in the law for private-sector mandates (\$131 million in 2007, adjusted annually for inflation) in each year beginning in fiscal year 2007. The following table summarizes the estimated costs of those mandates.

ESTIMATED COSTS OF MANDATES IN H.R. 2429

	By fiscal year, in billions of dollars—				
	2007	2008	2009	2010	2011
COSTS TO STATE, LOCAL, AND TRIBAL GOVERNMENTS					
Increase the federal minimum wage	*	0.1	0.2	0.3	0.3
DIRECT COST TO THE PRIVATE SECTOR					
Increase the federal minimum wage	0.3	1.5	4.0	5.7	5.0
Apply the minimum wage to the CNMI	*	0.1	0.1	0.2	0.2

Note: * = Less than \$50 million.

Estimate prepared by: Federal Costs: Christina Hawley Anthony; Impact on State, Local, and Tribal Governments: Theresa Gullo; Impact on the Private Sector: Ralph Smith.

Estimate approved by: Robert A. Sunshine, Assistant Director for Budget Analysis and Bruce Vavrichek, Assistant Director for Health and Human Resources.

Mr. Speaker, I yield 2½ minutes to another member of the Ways and Means Committee, the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I rise as a longtime advocate of raising the minimum wage, as someone who supports the McKeon-McCrery alternative because it is balanced and provides incentives for investment and small business and job creation. As someone who worked 10 years ago for the last increase for the minimum wage, working very closely with my then colleague Mr. Quinn of Buffalo, we were able to achieve that.

Today, we have an opportunity to raise the minimum wage, but because of the procedural restrictions we face on the floor some are going to be left

behind and that is particularly disappointing.

While H.R. 2 will provide a \$2.10 raise for American workers, sadly, it fails to take into account many Americans with disabilities who are in our workforce. These are disabled Americans who receive SSI disability benefits who are active participants in the workforce and maintaining jobs that give them great satisfaction. Unfortunately, they are left behind because, currently, SSI beneficiaries are limited to \$900 per month in order to remain eligible to receive benefits. If the wage hike under consideration today goes into law without raising an earnings limit for people on SSI, Americans with disabilities engaged in full-time employment would either potentially lose their benefits or have to cut back on their hours. That is a decision they shouldn't have to make.

Mr. Speaker, this is not only a disincentive to work, it is a woefully shortsighted policy, which hopefully we will be able to correct before this law goes into effect.

I introduced H.R. 290 which would ensure that workers with disabilities would not lose their payments through raising the earnings limitation on SSI. I wasn't able to offer that provision today because no amendments are being allowed. The result, unfortunately, is, having barred Republicans from having offered this change as an amendment, the majority has created as real victims not House Republicans but Americans with disabilities. And that is a shame.

Although an increase in the minimum wage is critical, and I strongly support this bill, I sincerely hope that the new majority will move ultimately to rectify this inequity in this Congress.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, I thank the gentleman.

Mr. Speaker, we finally are going to raise the minimum wage. No gimmicks, no combination with extraneous legislation, just a straight up or down vote to raise the minimum wage from what has become the lowest purchasing power in half a century.

New Jersey instituted a fair living wage a year or so ago; and, guess what, the increase did not result in layoffs. That indeed has been the experience of every previous increase around the country. With a minimum wage salary of a little over \$10,000 a year, health premiums are that much, how do you expect a family to get along? This will benefit 13 million people, millions of children, millions with children to support, millions as head of household.

Now, you have heard about the fairness and the compassion arguments for this increase. We really must emphasize the solid economic arguments that this increase, like all previous increases, will benefit the entire econ-

omy. Workers will benefit. Businesses will benefit. Far from lopping off the lowest rung of the ladder, as our colleagues have argued, this will raise the entire ladder. The economics are clear. We have seen it again and again.

Mr. MCCRERY. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from New Jersey talked about the experience in New Jersey of increasing the minimum wage, and he stated that no jobs were lost. He didn't cite any study to that effect. He just stated it. There are studies, though, that show that after the increase in minimum wage in the 1990s, there were, in fact, job losses. 146,000 jobs were cut from restaurant payrolls, and operators of restaurants signaled plans to postpone hiring an additional 106,000 new employees because of the raise of the minimum wage. And, also, the Bureau of Labor Statistics data shows that following the increase in minimum wage, net increase in jobs were significantly reduced around the country. And whether that is a coincidence or not, we don't know, but certainly the evidence is fairly clear that there was an impact.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas, a member of the Ways and Means Committee, Mr. BRADY.

Mr. BRADY of Texas. Mr. Speaker, I think we are missing a historic opportunity to change the paradigm to really help workers get into a living wage for the long term. The fact is, an increase to \$7.25 an hour will still leave a single mom with a child at or near poverty. And there is no doubt that a video store owner in Texas or anywhere else with five workers, when faced with a \$25,000 increase in payroll and no chance they are going to rent that many more videos, are going to look at whether they can afford all those workers.

Remembering well the minimum wage jobs I held when younger and also having worked hard to make a small business payroll, I think we need new thinking. America's goals should not be to raise the minimum wage; our goals should be to get workers off it and into good-paying jobs that you can raise a family on.

So rather than recycle the same 60-year-old arguments, why don't we help workers break out of the minimum wage trap? Rather than raise the minimum wage, let employers create education debit cards where workers can take those debit cards to the local community college or the trade schools so they can get a real job. Let business and professions, whole industries contribute to those debit cards so we can train workers for the jobs of today which are crying for many American workers. And since Congress is eager to do this pay raise on someone else's dime, let small businesses deduct and receive credit those dollars, receive a tax credit for their education contributions above the current state of minimum wage.

□ 1145

In effect, rather than a jobs bank, create a skills bank for workers in the 21st century. Give workers an opportunity to get out of a struggling job that leads nowhere and give businesses the skilled workers they need to compete and win against international competition. We have done it before with welfare. The Republican Congress and Democrat President worked together. We sent a strong signal we would no longer give up on workers, relegating them to a subsistence living generation after generation. We ought to do it again.

I oppose this bill.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from Kentucky (Mr. YARMUTH) on behalf of raising the minimum wage.

Mr. YARMUTH. Mr. Speaker, it is with great pride that I rise for the first time in this body in support of Americans working families.

Teddy Roosevelt first suggested that all hardworking Americans should earn what he called a living wage. Today, a century later, millions of Americans have been denied his great vision due to baseless fear tactics involving unemployment and a slowed economy. But America's minimum wage was raised regularly for 60 years, and the economy grew, in no small part due to those actions.

Raising the minimum wage never led to unemployment. It always forced higher wages across the board, and it helped to forge a healthy and vibrant economy.

In my district, 30,000 men and women go to work every day working for minimum wage and come home to a life of poverty. It is our responsibility, our moral obligation, indeed, our great opportunity to ensure that all hardworking Americans have the opportunity to provide for themselves and their families. We have the unique opportunity to approach Teddy Roosevelt's vision that, for an American who works hard, a living wage is the absolute minimum.

I urge my colleagues to supports the measure.

Mr. MCCRERY. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. KELLER).

Mr. KELLER of Florida. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today to urge my colleagues to support the Working Families Wage and Access to Health Care Act. This vital legislation will benefit employees by increasing the Federal minimum wage from \$5.15 per hour to \$7.25 per hour, while also helping employers provide affordable, quality health insurance through small business health plans.

During my 6 years serving the people of Central Florida, I have met with literally hundreds of small business owners. Their number one concern has consistently been the skyrocketing cost of health insurance. Of the 45 million

Americans without health insurance, 60 percent are small business employees and their families. By allowing small businesses to join together and purchase health insurance through national associations at group rates, it will lower insurance premiums by up to 30 percent.

Small business health plans, or association health plans, as they are also known, are not a new idea. Since first being introduced in the 104th Congress, a variation of small business health plan legislation has passed the full House on six different occasions, including during the 109th Congress when 36 Democrats voted for it.

An increase to the minimum wage does not come without a cost, and that cost is going to be borne by our Nation's small businesses. Therefore, it makes perfect sense to me that Congress should offset the cost of the wage increase with a decrease in the cost of providing health insurance.

Mr. Speaker, I am going to vote "yes" on increasing the minimum wage no matter what. But I am also going to vote "yes" to increase workers' job security by lowering the health insurance costs for small businesses through AHPs, and I urge my colleagues to do the same.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. TIERNEY), a member of the committee.

Mr. TIERNEY. Mr. Speaker, I thank the gentleman from California for yielding.

Mr. Speaker, I am glad to be able to rise today in support of this increase in the minimum wage. We should all be a bit ashamed of the fact that it has been 10 years since we have had the last increase. Every year low-wage workers are left behind while CEOs get more and more money. This is not some valid exercise of a well-oiled free enterprise system. This is a disgrace, and most Americans are repulsed by that fact.

Some people here are trying to make the case today that there is some benefit of a full-time worker making \$10,700 a year, leaving a family of three \$6,000 below the poverty level. There can be no benefit, Mr. Speaker, in that condition.

Let us be clear. Raising the minimum wage is going to dramatically improve the lives of millions of Americans, whether Milton Friedman agrees or not. When you make \$4,400 more a year than you made in the past year, full-time year-round workers with a family of three can afford a year's worth of groceries. They can afford 1½ years of heat and electricity. They can afford 9 months of rent, and they can afford the full 2-year tuition for a community college degree for a parent or a child. That is how we get Americans on the prosperity ladder. That is how we give them opportunity.

There are those that argue that the increase in the minimum wage is going to hurt the economy. I suggest that

that is not true at all and that rhetoric doesn't comport with reality. 650 economists say otherwise; reality says otherwise. The fact of the matter is that the Fiscal Policy Institute reports that States with a higher minimum wage than that have added jobs to the retail industry.

We have to move in the right direction with this bill.

Mr. MCCRERY. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Mr. Speaker, I rise to oppose this harmful legislation and to oppose the Democrats' plan to interfere with and interject themselves in individuals' personal decisions as to where they are going to work.

I also stand here, actually, in awe of the omniscient view the other side of the aisle has of themselves, this all-knowing, all-seeing view that they know better than families do as to where they are going to work and micromanage their lives. Regardless of whether it is a kid in Iowa after school working on a farm throwing hay or it is a woman in Chicago working at a high-tech plant on an assembly line or it is a man in New York going back as a second career trying to get a job in the finance industry, the other side of the aisle would tell us that each one of those individuals should be paid exactly the same, regardless of their age, regardless of the work, regardless of their experience, regardless of demographics, and regardless of the cost of living in those areas. I tell you, Mr. Speaker, it is unfair.

And, finally, Mr. Speaker, this body, which has been unable to get its finances and house in order for the last 40 years, is in no position to be telling the American public and the families of this country how they should be getting their finances in order.

This is an unfair bill, Mr. Speaker, and I oppose this legislation.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. ARCURI).

Mr. ARCURI. Mr. Speaker, I thank my colleague from California for yielding.

Mr. Speaker, it is with tremendous pride that I rise today to deliver my first formal remarks on the floor of this fine institution on such an important issue. That, of course, is providing a fair and decent wage to our Nation's most economically disadvantaged.

Nine years is far too long for anyone to wait for a wage increase, especially a single mother who works 40 hours a week but still has to face the decision of whether to buy food or medicine for her children. I find it unconscionable that, in a country as rich as ours, anyone working full time should have to make such a decision.

Opponents argue that raising the minimum wage will only stifle economic growth and force employers to lay off workers. I couldn't disagree

more. For starters, the logic just doesn't add up. Take, for instance, a small family-owned mom and pop grocery store in Upstate New York, which I represent. Some argue that the owners of that store would have to hang up a going out of business sign on their window because of the costs associated with the wage increase. But that thinking only looks at half the issue. The additional business that they will get as a result of the more disposable income that people have to spend in their store would clearly make up for it.

Mr. Speaker, I am proud to be part of a Congress that will not maintain the status quo, and I urge my colleagues to support this long-overdue wage increase, not because it is the easy thing to do but because it is the right thing to do.

Mr. MCCRERY. Mr. Speaker, I yield 2½ minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentleman from Louisiana for yielding.

I find today a lot of questions, a lot of unanswered questions, and a lot of half decent debate going on.

I wonder, first of all, why we didn't bring this bill through committee. Certainly if it is a good idea, it would have been something worth debating and perhaps some amendments. But under the new "open rule" Democrat Party, I understand we can bypass the committee and not have any hearings or amendments.

The next question is, why are so many people who were opposed to the Bush tax cut for the lower income going from 15 percent to 10 percent tax bracket, why are they now so compassionate to the poor?

And I have to ask, also, why are you stopping at \$7 an hour? If it is good for the economy and good for the workers, as we keep hearing over and over again, why do we stop at \$7 an hour, this arbitrary number? Nobody can make a living at \$14,000 a year. Why not go to \$8 an hour, \$9 an hour, \$10, \$20 an hour? Heck, if it is good for the economy, let us go to \$50 an hour. And if we had a committee hearing, maybe we could have some answers on that.

Question: If it is so good for the economy, why does the Congressional Budget Office rate it as a \$5 to \$7 billion unfunded mandate on our small businesses, which are the economic engines of the economy? How come the Hoover Institute estimates that it will actually get 20 percent of the minimum wage workers out of work because people will say you are not worth that much money? Those are questions that we don't have answers to.

Another question that I have is we keep hearing that the minimum wage hasn't been increased in 9 years, when, in fact, since 1997, 29 States have increased their minimum wages. We do not hear about that because I guess we are against States' rights in any form around here. That seems to be a taboo kind of thing.

But what is also interesting is that 85 percent of the people who make minimum wage are well above the poverty level. Why? Because 52 percent of the people on minimum wage are teenagers, 30 percent are part time, and 40 percent have never had a job before. In fact, if we want to take a real serious look at poverty, we need to look at the correlation between poverty and hours worked a week. The reality is so many people are working less than 40 hours a week.

The second point, very important, is marriage. If you want to get a lot of the children who are in poverty out of poverty right now, get the mom and dad to marry each other.

Now, that wasn't in the first 100-hour agenda. I understand. We are rolling out the moldy, oldie golden hits of Democrat thought. But let's get into poverty and let's have some real hearings.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 30 seconds.

Essentially, the case that the gentleman from Georgia makes, it just doesn't reflect the reality on the ground. As those States have increased the minimum wage far above the Federal minimum wage, their economies have expanded, job hiring has expanded, business growth has expanded far faster than in those States that thought it was in their interest to keep a lower minimum wage.

And I also find it interesting that in my own State of California the business organizations support an increase in minimum wage to \$8 an hour and our economy continues to grow and continues to add those jobs. So the real-world experience is different than data from 20 years ago.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HINOJOSA), a member of the committee.

Mr. HINOJOSA. Mr. Speaker, I rise in strong support of H.R. 2.

I am proud that 110th Congress has made giving America's lowest-paid workers a raise one of its first legislative actions. It is long overdue.

Many families work hard but struggle with low wages. It is unconscionable that in America we have millions of people working full time and year round and still living in poverty. At \$5.15 an hour, a full-time minimum wage worker brings home \$10,700 a year, nearly \$6,000 below the poverty level for a family of three. An average Fortune 500 CEO earns more before lunchtime than a minimum wage worker makes all year.

American families have seen the real income drop by almost \$1,300 since 2000, while the costs of gasoline, heating fuel, and health care have soared. For families living on minimum wage, this means a greater struggle to put food on the table and pay the rent. Minimum wage families struggle with the cost of daycare and health care. They struggle to provide a sound education for their children, and for many college is a dream beyond their reach. Today, we

are doing something to ease that struggle.

Raising the minimum wage is a first step and a clear signal that we in Congress will do something. Raising the Federal minimum wage from \$5.15 to \$7.25 an hour will add \$4,400 to the income of full-time year-round workers, enough for a low-income family of three to afford a year of groceries.

Mr. Speaker, it has been 10 years since our lowest-paid workers got a raise. In intervening years we in this body have seen many pay raises. Americans in the top income brackets have seen their earnings soar. On top of that, they have been the biggest beneficiaries of generous tax cuts.

I urge all my colleagues to support this legislation.

□ 1200

Mr. MCCRERY. Mr. Speaker, at this time I would yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentleman from Texas (Mr. SAM JOHNSON).

Mr. SAM JOHNSON of Texas. Mr. Speaker, while I am not sold on the effectiveness of a minimum wage increase, I rise in support of increasing the number of Americans with health insurance.

Too many working Americans have a job but aren't insured because their employers cannot afford to purchase quality health care plans. This is particularly true of small businesses where it is difficult to pool risk, and the regulatory environment is overwhelmingly complicated. Currently, small businesses are denied the ability to purchase health coverage with the benefits large companies and unions have enjoyed for decades.

So today, as part of a comprehensive motion to recommit, the Republicans will offer a proposal to address health care for many small businesses: association health plans. AHPs would increase small businesses' bargaining power with health care providers, give them much-needed freedom from a costly State-mandated benefit package and lower their overhead costs by as much as 30 percent.

By pooling their resources and increasing their bargaining power, AHPs will help small businesses reduce their health insurance coverage costs. As you have heard me say before, if it is good enough for Wall Street, it is good enough for Main Street.

By making health care more affordable, AHPs will expand access to quality health care for people for whom it is currently out of reach: uninsured working families. That is something my friends on both sides of the aisle can agree on.

It is no wonder my AHP bill has had unwavering bipartisan support in the House for nearly a decade now. I look forward to working with my colleagues to make AHPs law this year. Small businesses need help now. Vote "yes" on the motion to recommit.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1¾ minutes to the

gentleman from Oregon (Mr. WU), a member of the committee.

(Mr. WU asked and was given permission to revise and extend his remarks.)

Mr. WU. Mr. Speaker, I have a statement which I will submit for the RECORD, but I want to speak for a moment from my personal experience.

I have owned a business. I have met a payroll. But I have also worked for relatively low wages. I have worked in decommissioned ships that were both extremely hot in the hold and also filled with asbestos. I have worked in a dog food factory. But my real minimum wage job was as an assistant dishwasher in a Chinese restaurant owned by friends of my parents. I saw how hard those full-time workers worked.

I was an assistant dishwasher, and I saw how the full-time dishwasher got his fingers burned, how the cooks got their hands cut. And they worked for minimum wage just like me, but I was a teenager. And I came home to my parents' home. I said to my parents, Those people work awfully hard, and they deserve more. We ought to have a union. I never got to go back to work at my parents' friends' restaurant.

There are times when there is unequal bargaining power, when there are market failures, and there is a very legitimate role for the public sector and for joint action.

I ask my friends on the other side of the aisle whether they would roll back the 40-hour work week. I ask my friends if they would roll back worker safety provisions and roll back child labor laws. Your time has passed a century ago. It is long due to pass an increase in the minimum wage.

I rise in strong support of raising the minimum wage.

We tend to assume that employment is the solution to poverty. And in the past we have enacted legislation that reflects our commitment to training and placing individuals into jobs. While I strongly support efforts to increase employment, a job is not the complete answer to poverty. Far too many families who work full time still live below the poverty line. In fact, since the late 1970s, the number of full-time workers who live in poverty has doubled.

The reason for this is our low minimum wage. In 1996, after a 5-year freeze, Congress enacted legislation to raise the minimum wage from \$4.25 an hour to \$5.15 an hour—still well below the value of the minimum wage at its peak in 1968 at \$8.49 in 2005 dollars. Now, 10 years have passed without an increase in the minimum wage. Meanwhile, the number of Americans who live in poverty has increased by 5.4 million during the Bush administration.

Today, a minimum wage worker working full time earns only half the poverty level for a family of four. A single parent working full time at the current minimum wage cannot support one child above the poverty threshold.

More than one-quarter, 26 percent, of the 13 million workers who would benefit from a minimum wage increase are parents. Sixty percent of these workers are women.

History has shown that a minimum wage increase does not decrease employment or in-

crease inflation. In fact, in the four years after the last minimum wage increase passed, the economy experienced its strongest growth in over three decades. Yet a minimum wage increase does raise the wages of low-income workers in general, even those who earn more than the minimum wage, the "lifting all boats" effect of an increase in the minimum wage. It moves working families out of poverty.

Unfortunately, the Republicans leadership has resisted all efforts to increase the minimum wage.

The Fair Minimum Wage Act, of which I am proud to be an original cosponsor, will raise the minimum wage to \$7.25 over a 2-year period.

It is time to raise the minimum wage. No one should work full time jobs, or even work multiple jobs, and still live in poverty.

Mr. MCCRERY. Mr. Speaker, just in response to the gentleman from Oregon, no one here is suggesting that government does not have a legitimate role to play in protecting workers' rights. That is not the point of the alternative that we are trying to offer here today.

Our point is that the businesses that will be most directly impacted by the increased mandated burden of costs need to be helped so that we minimize the job loss that we know will come as a result of that.

So I agree with the gentleman: There is a legitimate role, and we are not arguing that. In fact, our alternative does increase the minimum wage and gives help to those businesses that will most directly be impacted.

I don't have time to yield, but I will talk to the gentleman off the floor.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. REYNOLDS), another distinguished member of the Ways and Means Committee.

(Mr. REYNOLDS asked and was given permission to revise and extend his remarks.)

Mr. REYNOLDS. Mr. Speaker, I thank the gentleman for yielding me 2 minutes.

Today's debate is really about missed opportunities. We all know that small businesses are the engines of our Nation's economic growth and that they provide the vast majority of jobs in so many of our local communities across the country.

But today, the new Democratic majority misses an opportunity, an opportunity not only to raise the minimum wage but to provide urgently needed help to those small businesses and to address health care needs of their employees.

Mr. Speaker, our Republican alternative, the Working Families Wage and Access to Health Care Act, addresses these needs. In addition to providing an increase to minimum wage, our approach would be: extending small business expensing through 2010; it would shorten the depreciation period for new restaurant construction through 2007; and it would end an unnecessary surtax that is an extra burden on low-income workers.

Our approach also would be to expand workers' access to affordable health

care through small business health plans, an important priority that has long enjoyed broad, bipartisan support.

Mr. Speaker, my colleagues on the other side of the aisle, particularly the newly elected Members of the new majority, should be asking themselves a question this morning: Why is their Democratic leadership forcing them to vote against a commonsense, bipartisan approach that the Democratic leader in the other body has already embraced? In addition to being a missed opportunity to address the real needs of small business, this is just bad politics by this untested majority.

Mr. Speaker, this could have been a much better bill if Democrats had fulfilled their promises to go through the regular committee process. If the new majority had allowed the Ways and Means Committee an opportunity to fully debate the issue, I am confident we could have put together a balanced and bipartisan package and met the needs of workers in small businesses.

I voted for the minimum wage increase some 5 months ago when 158 of my Democratic colleagues voted against it. They missed an opportunity then. They are missing one now. I urge support of the Republican alternative.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, I noticed in the Congressional Daily that the Republican ranking member on this committee says he does not expect the health care package to be part of minimum wage. So, once again, we have a mismatch here of hijacking this bill to improve minimum wage for the lowest-wage working people.

Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. SUTTON).

(Ms. SUTTON asked and was given permission to revise and extend her remarks.)

Ms. SUTTON. Mr. Speaker, I thank the kind gentleman from California for yielding me this time.

Mr. Speaker, I rise in strong support of raising the minimum wage to help our working families. In November, many Americans cast their votes for change because they were tired of the economic injustices working families have suffered over the last decade. Those who went to the polls want action on a clean bill from a Congress that has failed to raise the Federal minimum wage for nearly 10 years.

Voters in Ohio and five other States who believed in our democracy passed minimum wage increases. This is not only about increasing wages, it is about changing the way we treat our working men and women. And it is about traditional American values of fairness and opportunity. It is about paying rent, putting food on the table and paying for our children to go to college.

Mr. Speaker, the voters have given us a mandate. This is part of America's agenda. Today we act mindful of that mandate to help working families across this Nation by raising the minimum wage.

Mr. McCRERY. Mr. Speaker, I yield the balance of my time to the gentleman from New York (Mr. REYNOLDS), and I ask unanimous consent that he be allowed to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. REYNOLDS. Mr. Speaker, I now call upon the distinguished gentleman from Texas, Mr. Pete Sessions, for 2 minutes.

(Mr. SESSIONS asked and was given permission to revise and extend his remarks.)

Mr. SESSIONS. Mr. Speaker, I include for the RECORD a press release by the Employment Policies Institute and an op-ed by George Will that was in the Dallas Morning News on this issue.

Mr. Speaker, I rise today opposed to this bill, this bill that did not go through regular order nor through the Rules Committee, not even to be a secret vote in the Rules Committee. And I argue against this bill for the reasons we have not had a chance to vet the bill, to tell the truth that there will be over 1.6 million people that will lose their job directly related to this action by Washington, D.C., The Federalist Society, the Democratic Party in Washington, D.C., who will control not only their jobs but take away from small businesses the opportunity to be competitive in a competitive world.

Mr. Speaker, we are going to cause these 1.6 million people to lose their jobs as a result of their inability to be able to compete in marketplaces and to raise their own wages.

Mr. Speaker, I will tell you that these 1.6 million jobs were important to families and people. It may not be much of a job. It may be in a small rural community, but they were jobs that were important to those people. They are jobs, even if not high-paying jobs, that would provide them the opportunity to get up and find self-worth and go and do their very best, perhaps not just with limited resources but with the very best that community may offer.

These are the types of stories that would be told if we had followed regular order, if the committees had been able to vet this, if we had known more about the ability to hear experts testify about what is actually going to happen.

We hear the words about food on the table. We hear about having people earn more money. That is great. But 1.6 million jobs will be lost from our economy as a result of what the Democrat Party does. I say, shame on us. I will oppose this. I will be for the Republican alternative that encourages better jobs.

EMPLOYMENT POLICIES INSTITUTE: MINIMUM WAGE HIKE THREATENS HEALTHY U.S. ECONOMY

WASHINGTON, DC.—Despite the flourishing U.S. economy and record low unemployment level, low-skilled jobs—such as the retail and

leisure and hospitality industries—are in decline. These jobs will be further threatened by the prospect of a federal minimum wage hike, warns the Employment Policies Institute (EPI).

Decades of economic research prove that raising the minimum wage reduces job opportunities, particularly for people with few skills. When faced with the increase in labor costs that attend minimum wage hikes, employers often respond by hiring more skilled applicants, automating jobs, or cutting back on customer service.

Contrary to the opinion of proponents of minimum wage hikes, a rising tide doesn't necessarily lift all boats, and an extremely healthy skilled job market often masks an ailing low-skilled job market.

"The unintended consequences of a minimum wage hike will disproportionately affect low-skilled jobs while skilled labor may continue to flourish," said Jill Jenkins, EPI's chief economist. "In other words, if two computer programmer jobs are created and one less grocery store checker is hired, the net job creation is positive, but you're still seeing a decline in entry-level job opportunities."

A study by economists at the Federal Reserve found that every 10% increase in the minimum wage leads to a 2%-3% decrease in employment overall. When you focus on the job loss suffered by low-skilled individuals such as high school drop-outs or minority teens, the increase in unemployment is as high as 8.5% for every 10% increase in the minimum wage, according to research from Cornell and the University of Connecticut.

"Instead of pushing for a minimum wage increase, lawmakers could affect real change by promoting expansion of the Earned Income Tax Credit (EITC)," added Jenkins. "The EITC effectively targets benefits to families in need without jeopardizing jobs."

GEORGE WILL: HERE'S A BETTER PROPOSAL FOR THE MINIMUM WAGE

A federal minimum wage is an idea whose time came in 1938, when public confidence in markets was at a nadir and the federal government's confidence in itself was at an apogee. Today, raising the federal minimum wage is a bad idea whose time has come for two reasons:

The first is that some Democrats have a chronic and evidently incurable disease—New Deal Nostalgia. Second, the president has endorsed raising the hourly minimum from \$5.15 to \$7.25 by the spring of 2009.

Democrats consider the minimum wage increase a signature issue. Yet consider these statistics:

Most of the working poor earn more than the minimum wage, and most of the 0.6 percent (479,000 in 2005) of America's wage workers earning the minimum are not poor.

Only one in five workers earning the federal minimum lives in a family with a household earning below the poverty line.

Sixty percent work part-time, and their average household income is well over \$40,000. (The average and median household incomes are \$63,344 and \$46,326 respectively.)

The federal minimum wage has not been raised since 1997, so 29 states with 70 percent of the nation's workforce have raised their own minimum wages. The problem is that demand for almost everything is elastic: When the price of something goes up, demand for it goes down.

But suppose those scholars are correct who say that when the minimum wage increased slowly, the impact on employment is negligible.

Still, because of large differences among states' costs of living and the nature of their economies, Sen. Jim DeMint, R-S.C., sen-

sibly suggests that each state should be allowed to set a lower minimum.

It should be the same everywhere: \$0. Labor is a commodity; governments make messes when they decree commodities' prices. Washington, which has its hands full delivering the mail and defending the shores, should let the market do well what Washington does poorly. But that is a good idea whose time will never come again.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. GRIJALVA), a member of the committee.

Mr. GRIJALVA. Mr. Speaker, I rise in support of H.R. 2 to give the American people who have to work the hardest for the very least a long overdue raise and increase the minimum wage.

The current minimum wage has effectively knocked off the lowest rungs of the economic ladder of this country and kept millions of our Nation's working families in a paycheck-to-paycheck life of insecurity and struggle.

Today's economy is keeping millions of our fellow Americans from owning homes, achieving stability and prosperity. Low wages are slowly suffocating the American Dream. Today we take a deep breath.

The day has finally come when Congress has a chance to reward work and support families by putting a fair value on the work of our people. Today we can say clearly that family values should not be code for spiteful and divisive politics but a real policy of valuing families and the work of mothers and fathers.

Today is a historic day. I am proud to join with my colleagues in support of H.R. 2 in raising the minimum wage for American workers.

Mr. REYNOLDS. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, the minimum wage has not increased in 9 years. Yet over the past decade, we have experienced vast economic growth, record low unemployment and, in the last 3 years, the creation of 7 million new jobs. Without a doubt, at 4.5 percent, our unemployment rate is so low that some employers seek out illegal foreign workers to fill the jobs that they say a lot of Americans won't take.

If we raise the minimum wage, businesses will have to find a way to offset added labor costs by one of two things, raising prices on goods and services or laying off workers. This is simple economics that many of my colleagues on the other side of the aisle cannot seem to accept or understand. When prices go up, demands go down. In other words, as the minimum wage grows, so does the unemployment rate.

Furthermore, Mr. Speaker, unlike the debate in the Senate, H.R. 2 comes to the floor with no committee hearings, no committee votes, no opportunities for amendment. While our colleagues in the other body work on a compromise with President Bush,

Members of the House of Representatives are shut out of any constructive debate.

As a former member of the Rules Committee, I am extremely disappointed in the majority's failure to live up to its promises and allow an open and fair process on such a crucial issue.

□ 1215

For the benefit of the workforce, I ask my colleagues, vote against the minimum wage increase. Protect our small businesses. Let's sustain this economic growth.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, on November 7, the voice of the American people rang out clearly across this land: Our country is out of balance. The few have prospered while many have languished.

America has become a land of the haves and the have-nots. The disparity of wealth among the richest and poorest in this country is the greatest it has been in nearly 100 years. We have laws which provide every sort of tax break for those who are thriving, while the people who are struggling daily to put food on the table and pay their utility bills have not seen a raise in the minimum wage in nearly 10 years.

Seven dollars and twenty-five cents. Seven dollars and twenty-five cents. Many haves in this country spend that much each day on their Starbucks with a dollop or a twist. Those of us who don't struggle to make ends meet, this is truly the time to walk in our brother's and our sister's shoes, shoes that need soling, not polishing.

This is not just an economic issue, it is a moral issue. Prosperity is not the property of the few, it should also be available to the least of us.

As I left the Memphis airport, a hard-working man for Northwest Airlines said to me, Congressman, will you pass the minimum wage? To him and many others, the thousands in District Nine, I say, yes, we will do that.

This is an opportunity for us to help people who need help. And I say to my fellow so-called "do-gooders" of the world, let us make America more fair, more humane and more just.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS), for his first floor speech as a new Member of the House of Representatives.

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman for yielding.

I rise today in support of House Resolution 2, the Fair Minimum Wage Act, to increase our Nation's minimum wage. It has been nearly a decade since this standard has been updated. I am pleased that we are here today to give many hardworking men and women a much-needed raise.

I am concerned, however, that the bill in its current form may adversely impact our Nation's small businesses,

which are the backbone of our robust economy. I am also disappointed that my Republican colleagues and I will not have an opportunity to strengthen this bill by including provisions to help reduce any potential unintended consequences that raising the minimum wage may have on our employers. For that reason, I intend to support the Republican motion to recommit so that we can put more money in the pockets of hardworking Americans while protecting our small businesses.

Mr. REYNOLDS. Mr. Speaker, I yield back the balance of my time to the gentleman from California (Mr. McKEON).

The SPEAKER pro tempore. Without objection, the gentleman from California will control the time.

There was no objection.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. PAYNE), a member of the committee.

Mr. PAYNE. Mr. Speaker, I stand in strong support of the passage of H.R. 2, the Fair Minimum Wage Act of 2007, which would help nearly 13 million American workers and their families by increasing the Federal minimum wage by \$2.10 an hour. Let me thank the chairman, GEORGE MILLER, for bringing this very important legislation to the floor.

The intent of the bill is to raise the minimum wage from \$5.15 to \$7.25 an hour, but let me just say this: When I hear naysayers say that this will eliminate jobs, back in 1994, when New Jersey had the highest minimum wage in the country, we compared the job growth of low-income jobs in New Jersey to those in Pennsylvania. Not only was there no negative impact on low-income jobs in New Jersey, but actually during that period of time, in the middle nineties, the minimum wage jobs in New Jersey grew at a higher rate than they did in Pennsylvania, which proved that the increase in the minimum wage did not run jobs out of the area. That was done by the American Economic Review.

Just recently, a survey was taken that showed that 83 percent of Americans support an increase of \$2 or more in the minimum wage, and a survey this week from the Associated Press found that 80 percent of Americans support an increase in the rate. So there has been consistent support from the public in the United States of America. That is why we going in a new direction.

Mr. McKEON. Mr. Speaker, I am happy to yield 3 minutes to the gentlelady from Oklahoma (Ms. FALLIN), a new Member of this Congress, for her maiden speech on the House floor.

Ms. FALLIN. Mr. Speaker, it is a great pleasure to be here today.

Mr. Speaker, over the past 12 years, I have had the opportunity to serve as Oklahoma's Lieutenant Governor and, more importantly, Oklahoma's official small business advocate. I spent years

traveling throughout our State visiting with our small business owners and their employees, and they are truly the economic engine of many of our communities in our State.

In our State, 97 percent of Oklahoma's businesses have 100 or fewer employees and are small businesses, and employers in our State employ over 600,000 workers that are small business workers, which means that 50 percent of our jobs are related to small business.

Mr. Speaker, my concern is that a 41 percent increase in the minimum wage places a real burden on our small businesses. It is a burden that could mean layoffs. It is a burden that could mean bankruptcy for others.

The Federal Government cannot force small businesses to shoulder that burden alone. If the government is to raise our current minimum wage, it must pursue a balanced plan that will provide serious tax relief and regulatory relief to those who will be hit hardest by a minimum wage increase.

A plan without balance will not lift up the American workers. It will actually drag down small business. The Congressional Budget Office has estimated that increasing the minimum wage to \$7.25 an hour will cost small businesses somewhere between \$5 billion to \$7 billion nationwide. And when small businesses fail, minimum wage earners will suffer. The Hoover Institute estimates that fully 1.5 million small business workers nationwide may lose their jobs if an unbalanced minimum wage hike is passed.

So it is clear to me that a minimum wage increase plan without a plan to offset the burden placed upon small business will be harmful to our economy, and this Congress must not sabotage the machine which powers our economy and gives life to so many of our communities, which is small business. We must help our Nation's workers in a responsible fashion and avoid a plan which I believe is well-intentioned but could be devastating to employers and employees alike.

It is for this reason that I strongly encourage my colleagues to reject anything short of a balanced plan to raise the minimum wage unless one has a plan that offsets the burden placed upon small business and has serious and appropriate tax and regulatory relief.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. SHULER).

Mr. SHULER. Mr. Speaker, I thank the gentleman from California.

Mr. Speaker, it has been 10 long years since Congress has raised the minimum wage. This is the longest period between raises in the minimum wage since it was enacted in 1938. The American people have spoken very clearly. It is time to raise the wages of our lowest-paid workers.

Our families have been squeezed: an increase at the gas pump, an increase at the grocery store, an increase in

health care and an increase in childcare. It is time that we give back. As a part of Congress, we should be an example. We shouldn't always be following our States, as my great State of North Carolina has increased the minimum wage. We should be leading by example.

That is why it gives me great privilege to support this bill. It is our moral commitment to the families of this country, and that is why I strongly support this measure.

Mr. McKEON. Mr. Speaker, I am happy to yield 2 minutes to the gentleman from South Carolina (Mr. WILSON), a member of the committee.

Mr. WILSON of South Carolina. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I rise today in opposition to H.R. 2 and in favor of the alternative. Circumventing market forces to mandate an arbitrary Federal minimum wage increase is bad economic policy. If it is done, however, we must offer protection for America's small businesses. Refusing to do so will ultimately hurt the very workers it intends to help.

We all want employees to make more than the minimum wage; and, through tax cuts, 7.3 million jobs have been created in the past 40 months by workers keeping their own money.

When the minimum wage is increased, unfunded mandated costs on small businesses increase. As a result, business owners must be forced to cut jobs or reduce entry level workers to avoid incurring additional expenses.

Republicans are seeking to provide relief for these businesses by offering alternative health care plans and tax incentives. Unfortunately, House Democratic leadership has shunned the proposal supported by Senate majority leader HARRY REID, President Bush and House Republicans.

I urge my colleagues on both sides of the aisle to support the Republican alternative, which will ensure businesses receive the protections they need and our economy continues to thrive.

In conclusion, God bless our troops. We will never forget September 11.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. MCCARTHY), a member of the committee.

Mrs. MCCARTHY of New York. Mr. Speaker, I thank my chairman of education for bringing this important matter to the floor.

Mr. Speaker, I know Congress isn't used to having straight, clean bills. We can do this. Ten years I have been in Congress, and 10 years we have been trying to get the minimum wage raised. We talk about small business. There is not one person on the Democratic side that doesn't support small businesses, but we also support those people that are trying to make a living wage.

By estimates, there are 623,000 single women raising families trying to make a living. I go to the grocery store. I fill

up my gas tank. We are very privileged here to make a very nice salary. Yet we are denying those that need our help the most to give them some sort of life. \$7.25. Who the heck can live on that, even if you work 60 hours a week? And, by the way, these people that are working these jobs on minimum wage usually have two jobs, sometimes three.

It is time that we do this. It is the moral and right thing.

Mr. McKEON. Mr. Speaker, I would be happy to yield 2 minutes to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Mr. Speaker, I thank my colleague from California for yielding this time.

Mr. Speaker, I think there is a critical point that is being overlooked in this debate on the minimum wage. We need to talk about the people that this minimum wage increase will be a barrier to their employment, for example, the physically, emotionally and mentally handicapped in this country.

I have in my district, in Cleveland County, Cleveland Vocational Industries, a community-based organization. What they do is they train workers with disabilities to fulfill certain assembly line packing and labeling projects, what some of us would call menial labor or very simple tasks. But it is a very positive thing. It is a great way to train and employ people that otherwise cannot be trained and employed.

What is going to happen is these are about 8 percent of the total minimum wage earners in this country, those with disabilities. What that is going to do is harm them in their ability to get contracts with businesses.

This is a very nice idea, to raise people's wages, but the impact it is going to have among the least among us will be that they will simply not have a job. I think that is being lost in this debate, and I think that is what we need to be concerned about.

Let's talk about the facts about the minimum wage. That is what is lost here. This is high-minded rhetoric. What the Democrat majority wants to do, Mr. Speaker, is use other people's money to pay other people. Well, that is a very nice thing to do, a nice offer, a very nice thing, to write a check for somebody else.

All right. Let them pay somebody else. That is a nice obligation that we are passing on, this unfunded mandate.

Eighty-five percent of minimum wage earners in this country are teens or adults who live alone or second earners; a married couple, one goes and works part-time. Eighty-five percent of them fall in those categories. So they are talking about making a minimum wage on this and providing for a family of 10, or whatever. It is just empty rhetoric and crazy talk.

So let's talk about affecting and helping people through training and access to health care and support the Republican alternative.

□ 1230

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE), a long-time battler for economic and social justice.

Ms. LEE. Mr. Speaker, I want to thank the gentleman for his bold and consistent leadership to raise the minimum wage. This is an important ethical and moral issue that speaks directly to our values as Americans. It is a shame and disgrace that in the wealthiest and most powerful country in the world, 37 million people live in poverty. Raising the minimum wage is one major step to reduce poverty, and we must do this.

As a former small business owner, I can tell you that small businesses are more profitable when workers are treated fairly. Thirteen million Americans, many of whom are women and people of color, will benefit from this increase.

Let us live up to our moral responsibility and help the least of these who struggle each and every day just to make ends meet. They deserve this increase, and they have earned it. Let us do the right thing and pass H.R. 2 in the memory of Dr. Martin Luther King, Jr., whose birthday we celebrate on Monday, who died, who gave his life seeking justice for sanitation workers.

Mr. McKEON. Mr. Speaker, I am happy now to yield 2 minutes to our new colleague, my neighbor from California (Mr. MCCARTHY).

Mr. MCCARTHY of California. I thank the gentleman from California for yielding.

Mr. Speaker, I believe Congress is a marketplace of ideas, and at the end of the day, the best ideas should win. Unfortunately, with the process today, that will not happen.

Allowing a vote on an alternative minimum wage approach is in America's best interest. Republicans offer a balanced approach to increase the minimum wage and provide offset tax relief for small businesses to take on the increased labor cost for the minimum wage hike.

The unbalanced approach of the Democratic bill, H.R. 2, to solely increase the minimum wage is irresponsible. Never mind that the basic economic statement setting an artificial price floor like the minimum wage could actually raise unemployment.

The Federal Reserve study states that if H.R. 2 is enacted, a million restaurant workers could lose their jobs.

I can tell you, as a former small business owner, personally, this is a tough decision. I came to Congress to work to increase opportunities for all Americans, not to harm workers and small businesses. I listened to the debate today, and I listened to the other side, as a freshman. If you look at the Republican bill, it is a compromise. It is a common solution. The minimum wage will be increased, but what else will happen? There will be greater healthcare for the workers. There will

be tax relief where you can expense off when you are buying business equipment. What happens? The workers of America are more competitive in a global economy for the 21st century.

And I ask my colleagues on the other side; last week on this floor I listened closely to what our Speaker said. Speaker PELOSI said, "Let's work in a spirit of partnership, not partisanship." Well, I will tell you, the Republican bill is just that, it is a partnership that lets the power of the idea win at the end of the day.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1¼ minutes to the gentleman from California (Mr. BACA).

Mr. BACA. Mr. Speaker, I rise in support of H.R. 2 and thank the gentleman from California for being bold enough to carry this important legislation to help the American people.

I rise today to call for a vote to raise the minimum wage. This increase must happen for humanitarian justice. Americans are suffering.

Let's get back to basics. The minimum wage has not increased. The minimum wage was passed 10 years ago, and during the 10 years, people have struggled to put food on the table, gas prices have increased, the cost of public transportation has increased, the cost of clothes has increased, the cost of housing has increased, the cost of buying food has increased, not to mention every other cost of living in America has increased.

This bill is not about continued greed or about outsourcing, but it is about American families and improving their quality of life.

Let's get back to basics: \$5.15 an hour is poverty. We need this bill because 40 percent of minimum wage workers are the sole bread winners in their families. Nineteen percent of minimum wage earners are Hispanic Americans, and 15 percent are African Americans.

It is time. It is time to care for working families of America and to give them a wage that is just, a wage that is fair.

Mr. McKEON. Mr. Speaker, I am happy now to yield 1½ minutes to the gentleman from Puerto Rico (Mr. FORTUÑO), a member of the committee.

Mr. FORTUÑO. I thank the gentleman from California.

Mr. Speaker, I stand here today in strong support of a Federal minimum wage increase that is applicable under the same terms and conditions to all 50 States and Puerto Rico. I support a Federal minimum wage increase because it would strengthen the economy as well as provide long overdue benefits to our working, middle-class families who are the backbone of our Nation's economy.

However, I am concerned that the bill under consideration, while seeking a long-awaited increase in the Federal minimum wage, does nothing to offset the impact on small businesses and their workers. This is particularly important for Hispanics in the United States who, according to a recent re-

port released by the U.S. Census Bureau, are opening businesses at a rate that is three times as fast as the national average.

Only one bill, the Working Families Wage and Access to Health Care Act, offers a balanced approach that would provide for a minimum wage increase without threatening the backbone of our economy or penalizing small businesses. Our bill increases the minimum wage in exactly the same increments as the bill before us today but also expands affordable health care to many of the working families benefiting from the increase and includes some important tax protection alternatives for small businesses and their workers. The Working Families and Access to Health Care Act should be carefully considered and, at the very least, deserves to be discussed.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of this extremely important legislation for America's workers. The last 10 years we have seen these tired old Republican arguments against increasing the minimum wage while the huge wealth of the highest paid in our country increases. We have not raised the minimum wage since 1997. When adjusted for inflation, the minimum wage is the lowest it has been in 50 years. That is 10 years of wasted opportunity on this floor that is being corrected today.

A minimum wage worker full-time makes \$10,700 a year. That is well below the poverty level. We need to provide a lift for these hardworking Americans. I agree with the late U.S. Senator from Texas, Ralph Yarborough, when he said, "Let's put the jam on the lower shelf for the people."

This increase will provide much needed help to the lowest wage earners in our country. Their needs and dreams are no different from anyone else's. These wage earners want to earn a decent wage to be able to put dinner on the table for their families. It is not too much to ask that we raise the minimum wage after a decade of taking no action on this important part of the American economy.

Passing this bill today is the right step, and I urge my colleagues to support it.

I rise today to support this extremely important legislation for America's workers. The last ten years we have seen these tired old Republican arguments against increasing the minimum wage while the huge wealth increases of the highest paid in our country.

We have not raised the minimum wage since 1997. When adjusted for inflation, the minimum wage is the lowest it's been in 50 years. That's 10 years of wasted opportunity.

A minimum wage earner working full-time makes only \$10,700 a year. This is well below the poverty threshold for a family of three.

We need to provide a lift for these hard working Americans. I agree with our late U.S.

Senator from Texas Ralph Yarborough when he said "Let's put the jam on the lower shelf for the people."

This increase will provide much needed help to the lowest wage earners of our country. Their needs and dreams are not different than anyone else's.

These wage-earners want to earn a decent wage and be able to put dinner on the table and provide for their families.

It is not too much to ask that we raise the minimum wage after a decade of taking no action on this important part of the American economy.

Passing this bill today is a step in the right direction and I urge my colleagues to vote in favor of this resolution and put the jam on the lower shelf.

Mr. McKEON. Mr. Speaker, might I inquire as to the remaining time.

The SPEAKER pro tempore. The gentleman from California has 33 minutes, and the gentleman from northern California has 47 minutes.

Mr. McKEON. Mr. Speaker, I am happy now to yield to the gentleman from California, a good friend and colleague, Mr. ROHRBACHER, 4 minutes.

Mr. ROHRBACHER. Mr. Speaker, I rise in opposition to this proposal to increase the minimum wage by \$2.10 an hour over the next 2 years.

What we are witnessing today, of course, is the quintessential example of political figures offering something for nothing. We can just bestow upon the American people \$2.10 an hour, and there is no cost to it. Well, if that is really the case, and there is no downside, why are we such pikers? Why are we not offering a minimum wage hike of \$5 an hour? Or \$10? Or maybe even \$20 an hour more? We know that that is not realistic because there is a downside that can be calculated. In fact, by mandating the pay raises that we are talking about today, economists have estimated that about 1.6 million people, the people at the very bottom rung of our economic ladder, will be put through great hardship. They won't be hired, or they will be fired because their salary now must be allocated in these small businesses which, of course, is where most of the employment takes place, their salaries will now have to be allocated to the other employees. Yes, there is a cost to pay when you mandate someone in their operation gets paid more money, and the burden will be borne by the very lowest level of employees. That is what this proposal is all about.

Now, there is a way to actually help people have higher salaries. I happen to believe in high wages. I am not a pro-management guy. I believe in higher wages for the American people, and there is a way that we can achieve higher wages for the American people, especially those at the lowest income. But those who are advocating that we raise the minimum wage wouldn't think about advocating this solution. And that solution is very easy for the American people to understand: We have an out-of-control flow of illegal immigrants into our country. If we

would commit ourselves to solving that problem, to get control of this massive flow of illegals into our country, we would have more than a doubling of this minimum wage. We would have wage earners all up and down the scale, even at the very bottom of the scale, help.

But, no. Why aren't we doing this? Because, yes, there is a price to pay for that as well. Getting control of illegal immigration, making sure that our employers are not hiring illegals, who would pay that price? People who come to this country illegally would pay that price. Their lives would be harder. It would be tougher on them. But we are supposed to be representing the interests of the American people. Yes, we sympathize with people who come here illegally. We sympathize with those people overseas, but if we raise the minimum wage this way, there will be more illegals who will come to this country to get that higher minimum wage, and our own people at the bottom rung of the economic ladder will be put out of a job.

Let's watch out for the interests of the American people. Let's commit ourselves to getting control of the massive flow of illegals into our country, and then we can raise the wages of everyone. Let's not offer people stunts and schemes like this of the minimum wage, of offering them something for nothing. Let's really help them out.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. I thank the distinguished chairman of the Education and Labor Committee and thank him for his leadership.

Mr. Speaker, there is a biblical story about the children of Israel in the desert seeking the promised land for 40 years. I would like to tell my good friend that there are American workers who are deserving and in need of an increase in the minimum wage, and we know that for 51 years we have had the lowest valued minimum wage in America. It is clear that the minimum wage increase would help reverse the trend of declining real wages for low-wage workers, American workers, and that, between 1979 and 1989, the minimum wage lost 31 percent of its real value, American workers.

What about the waitress who stopped me in a restaurant and said, When are you going to raise the minimum wage? A woman raising children who, with the minimum wage, will be able to have an opportunity to get a car loan to get a car to get her children to school or to the doctor or to be able to do the things that we in America enjoy doing, being with our family, providing them an opportunity?

This is a moral issue. I ask my colleagues to support the increase in the minimum wage for Americans across America.

I thank the gentleman for yielding. Mr. Speaker, I rise in strong support of H.R. 2, the "Fair Minimum Wage Act." With the adoption of this bill, the House of Representatives will take the first step in making good on its commitment to working-class Americans that one of the first concerns of the Congress is the well-being of ordinary Americans who work hard, play by the rules, and are struggling to get by through no fault of their own. We Democrats promised to chart a new direction for America if the voters entrusted us with the majority. They did and with our votes today in support of H.R. 2, we are making good on our promise.

Mr. Speaker, before I discuss the importance of this bill in detail, I wish to commend Chairman MILLER, Speaker PELOSI, Majority Leader HOYER, Majority Whip CLYBURN, and the rest of the Democratic leadership, as well as my colleagues in the Congressional Black Caucus, which was led so ably last Congress by Congressman WATT and is now led Congresswoman KILPATRICK. Because of their resolve and visionary leadership, more than 13 million workers will soon receive a long overdue raise. What difference an election makes!

AMERICANS DESERVE A RAISE

H.R. 2 helps the most deserving American families by raising the minimum wage from \$5.15 to \$7.25 over three years. Mr. Speaker, did you know that the value of the current minimum wage represents a 51-year low? Today's minimum wage of \$5.15 today is the equivalent of only \$4.23 in 1995, which is even lower than the \$4.25 minimum wage level before the 1996–97 increase. It is scandalous, Mr. Speaker, that a person can work full-time, 40 hours per week, for 52 weeks, earning the minimum wage and would gross just \$10,700, which is \$5,888 below the \$16,000 needed to lift a family of three out of poverty. In 2005, the average CEO was paid 821 times the amount earned yearly by a minimum wage worker.

Mr. Speaker, since 2000 the cost of college tuition has risen 57 percent, which is only slightly less than the increase in the cost of gasoline. Health insurance premiums have skyrocketed by 73 percent and inflation is up 13.4 percent. But during that time, the minimum wage has not increased one cent. That is unconscionable and downright un-American. Happily, the Fair Minimum Wage Act, H.R. 2, will change this sorry state of affairs.

Mr. Speaker, today more than ever America's hard-working families are feeling squeezed, living paycheck to paycheck. I can tell you Mr. Speaker that record prices at the pump, skyrocketing health care costs and the rising cost of college in the face of falling or flat wages, are squeezing hard-working Texans in my Houston-based Congressional District as they struggle to make ends meet.

That is why I support increasing the minimum wage. For Texas workers the basic cost of living is rising; it is only fair that the pay for hard-working Texans does too. Nearly 890,000 hard-working Texans would directly benefit from raising the federal minimum wage to \$7.25 an hour, and 1,774,000 more Texans would likely benefit from the raise.

Raising the minimum wage is vital for Texas families. At \$5.15 an hour, a full-time minimum wage worker in Texas brings home \$10,712 a year—nearly \$6,000 below the poverty level for a family of three. An increase of \$2.10 an hour would give these families a much needed

additional \$4,400 a year to meet critical needs such as rent, health care, food and child care. The increase in the minimum wage before us today will not allow workers to live as large as the typical CEO, who now earns 821 times more than a minimum wage worker, but at least it will allow these low-wage workers to make a little better life for themselves and their families.

A minimum wage increase would raise the wages of millions of workers across America:

An estimated 6.6 million workers (5.8 percent of the workforce) would receive an increase in their hourly wage rate if the minimum wage were raised from \$5.15 to \$7.25 by June 2007.

Due to "spillover effects," the 8.2 million workers (6.5 percent of the workforce) earning up to a dollar above the minimum would also be likely to benefit from an increase.

Raising the minimum wage will benefit working families:

The earnings of minimum wage workers are crucial to their families' well-being. Evidence from the 1996–97 minimum wage increase shows that the average minimum wage worker brings home more than half (54 percent) of his or her family's weekly earnings.

An estimated 760,000 single mothers with children under 18 would benefit from a minimum wage increase to \$7.25 by June 2007.

Single mothers would benefit disproportionately from an increase—single mothers are 10.4 percent of workers affected by an increase, but they make up only 5.3 percent of the overall workforce. Approximately 1.8 million parents with children under 18 would benefit.

Contrary to popular myths and urban legends, adults make up the largest share of workers who would benefit from a minimum wage increase:

Eighty percent of workers whose wages would be raised by a minimum wage increase to \$7.25 by June 2007 are adults (age 20 or older).

More than half (54 percent) of workers who would benefit from a minimum wage increase work full time and another third (34.5 percent) work between 20 and 34 hours per week.

Minimum wage increases benefit disadvantaged workers and women are the largest group of beneficiaries from a minimum wage increase: 60.6 percent of workers who would benefit from an increase to \$7.25 by 2007 are women.

An estimated 7.3 percent of working women would benefit directly from that increase in the minimum wage.

A disproportionate share of minorities would benefit from a minimum wage increase:

African Americans represent 11.1 percent of the total workforce, but are 15.3 percent of workers affected by an increase.

Similarly, 13.4 percent of the total workforce is Hispanic, but Hispanics are 19.7 percent of workers affected by an increase.

The benefits of the increase disproportionately help those working households at the bottom of the income scale:

Although households in the bottom 20 percent received only 5.1 percent of national income, 38.1 percent of the benefits of a minimum wage increase to \$7.25 would go to these workers.

The majority of the benefits (58.5 percent) of an increase would go to families with working, prime-aged adults in the bottom 40 percent of the income distribution.

Among families with children and a low-wage worker affected by a minimum wage increase to \$7.25, the affected worker contributes, on average, half of the family's earnings. Thirty-six percent of such workers actually contribute 100 percent of their family's earnings.

A minimum wage increase would help reverse the trend of declining real wages for low-wage workers. Between 1979 and 1989, the minimum wage lost 31 percent of its real value. By contrast, between 1989 and 1997 (the year of the most recent increase), the minimum wage was raised four times and recovered about one-third of the value it lost in the 1980s.

Income inequality has been increasing, in part, because of the declining real value of the minimum wage. Today, the minimum wage is 33 percent of the average hourly wage of American workers, the lowest level since 1949. A minimum wage increase is part of a broad strategy to end poverty. As welfare reform forces more poor families to rely on their earnings from low-paying jobs, a minimum wage increase is likely to have a greater impact on reducing poverty.

Mr. Speaker, the opponents of the minimum wage often claim that increasing the wage will cost jobs and harm the economy. Of course, Mr. Speaker, there is no credible support to such claims. In fact, a 1998 EPI study failed to find any systematic, significant job loss associated with the 1996–97 minimum wage increase. The truth is that following the most recent increase in the minimum wage in 1996–97, the low-wage labor market performed better than it had in decades. And after the minimum wage was increased, the country went on to enjoy the most sustained period of economic prosperity in history. The economy created more than 11 million new jobs and experienced historic low unemployment rates, increased average hourly wages, increased family income, and decreased poverty rates.

Mr. Speaker, studies have shown that the best performing small businesses are located in States with the highest minimum wages. Between 1998 and 2004, the job growth for small businesses in States with a minimum wage higher than the Federal level was 9.4 percent compared to a 6.6 percent growth in States where the Federal level prevailed.

So much for the discredited notion that raising the minimum wage harms the economy. It does not. But raising the minimum wage increases the purchasing power of those who most need the money, which is far more than can be said of the Republicans' devotion to cutting taxes for multimillionaires.

Mr. Speaker, Americans overwhelmingly side with progressive principles of rewarding hard work with a living wage. A post-election Newsweek poll found that 89 percent of Americans favored raising the minimum wage. Last November, voters passed all six State ballot initiatives increasing the statewide minimum wage. The case for raising the minimum wage is so compelling that in the 2004 election, even voters in Florida and Nevada, two States won by President Bush, overwhelmingly approved ballot measures to raise the minimum wage. In Nevada's richest county, Douglas, where President Bush received 63.5 percent of the vote, 61.5 percent of voters supported raising the minimum wage.

Mr. Speaker, in October 2006 the Economic Policy Institute released a statement in sup-

port of the minimum wage increase signed by 665 economists, including 5 Nobel Laureates. According to these eminent economists, "a modest increase in the minimum wage would improve the well-being of low-wage workers and would not have the adverse effects that critics have claimed."

Members of Congress have legislated a minimum salary for themselves and have seen fit to raise it nine times since they last raised the minimum wage. It is time we gave the Americans we represent a long overdue pay raise by increasing the minimum wage to \$7.25 over 3 years. Even this amount does not keep pace with the cost of living. The minimum wage would have to be increased to \$9.05 to equal the purchasing power it had in 1968. And if the minimum wage had increased at the same rate as the salary increase corporate CEOs have received, it would now be \$23.03 per hour.

The American people demand that the minimum wage be increased. Low-wage workers, many of whom live in your district and mine, badly need the money. They have waited much too long. I urge all Members to support this necessary and timely legislation. Vote "aye" on H.R. 2, the Fair Minimum Wage Act.

Mr. McKEON. Mr. Speaker, I am happy now to yield 2 minutes to the gentlelady from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. I want to thank the ranking member for yielding me time.

Mr. Speaker, I rise in support of the legislation to raise the Federal minimum wage to \$7.25 per hour. It has been 10 years since Congress passed legislation to increase the minimum wage, and I am pleased that we are going to pass such an increase today.

I have supported an increase in the minimum wage since coming to Congress, and I have voted for it both as part of a package including a permanent solution to the death tax. And I will vote for it as a stand-alone bill. The minimum wage in my home State of West Virginia is \$5.85 an hour, with recent increases already scheduled to be \$6.55 this June and then \$7.25 in June 2008. Twenty-eight other States have enacted minimum wages that are higher than the Federal minimum wage, and I am pleased today that we will vote to increase the minimum wage for workers across the country.

I will vote for H.R. 2 because it will improve the quality of life for low-wage workers in my congressional district and across the Nation. This legislation would be much better, however, if it included the elements of the Republican alternative offered by Ranking Member McKEON and Ranking Member McCRERY.

□ 1245

Millions of small business employees across the country lack health insurance. It is probably the largest segment of working Americans who are unable to afford and cannot find health insurance, a vitally important part of leading a good-quality life here in the United States.

We should authorize association health plans, allowing small companies

to bind together through trade associations to create the economies of scales necessary to reduce the cost of health care. This is essential. It makes certain that we should act to offer affordable health care coverage for workers at the same time we are increasing the minimum wage.

The Republican substitute, by offering tax relief that would lead to new job creation and by offering affordable health care in addition to increasing the minimum wage, would help millions more Americans than the bill we are considering today, and I regret we are not taking the more comprehensive approach.

Nonetheless, this legislation will help many women and men across the country, and I intend to support it.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1¼ minutes to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Speaker, I rise in support of the minimum wage and indicate to you that it is time that we take this measure and make it happen.

Let me thank Chairman MILLER on his efforts and just indicate to you that the State of Texas is the one that has the most to gain. We have over 900,000 such workers that would be impacted by this piece of legislation. And, for those, let me also indicate that in Texas nearly 70 percent of low-wage employees work full time. I will repeat that. Seventy percent of low-wage employees work full time. And, among those, almost 40 percent of the low-wage workers are sole breadwinners. Forty percent are sole breadwinners. So this is something that is critical. This is something that is important, something that needs to happen.

The minimum wage increase improves the economic well-being of our families. It provides for better living conditions and improving the quality of life. And I cannot comprehend why Members of Congress that have been here over 10 years, who have voted on their own increase each time, and yet not allow an opportunity for individuals that are in the lowest part of the wages in this country be able to get a pay increase.

Mr. McKEON. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, I rise in respectful opposition to H.R. 2, the Fair Minimum Wage Act of 2007. And I do so understanding that what I do may well be misunderstood by some of my constituents at home and even by some looking on in this debate. But let me say emphatically that a 41 percent increase in the minimum wage that is brought to the well of Congress without providing any relief to small business owners and family farmers is irresponsible and unwise, and it will harm both the wage payer and the wage earner.

An excessive increase in the minimum wage will hurt the working poor, Mr. Speaker, and especially those who are trying to begin the American Dream by entering the workforce at entry level jobs. Minimum wage increases, the unbroken record of our economic history attests, raise unemployment among the young, minorities and part-time workers, the very people that a minimum wage is thought to help. And sadly, for reasons I don't entirely understand, for every increase in the Federal minimum wage, African Americans have been hit the hardest with the advent of jobs that are lost with an increase in the minimum wage.

It would be the late economist Milton Friedman, a Nobel laureate, who said, "The high rate of unemployment among teenagers, and especially black teenagers, is both a scandal and a serious source of social unrest." And then he went on to say, "It is largely a result of minimum wage laws."

I believe the minimum wage and this increase is one of the most anti-minority, anti-poor laws that we could bring into this Congress. It violates fundamental free market economics, and it will cost jobs.

The Heritage Foundation recently reported that for every 10 percent increase in the minimum wage there is a loss of 2 percent of entry level minimum wage jobs. This means, for what we consider today, we literally could see evaporate overnight 8 percent of the entry level jobs in this country.

I recently received an e-mail from a small sub sandwich restaurant owner in Anderson, Indiana, who told me of his frustration about what Congress would consider today, Mr. Speaker; and he begged me to ask for balance and justice for the wage payer as well as the wage earner. He said he had 200 applications on file, but he knew that if Congress passed this irresponsible 41 percent increase in the minimum wage, not only would he not be able to extend opportunity to some, he would have to cancel jobs for others.

Let us serve the wage earner and the wage payer. Let us reject this irresponsible increase in the minimum wage.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. HARE), a member of the committee.

Mr. HARE. Mr. Speaker, the Fair Minimum Wage Act is an important step toward strengthening America's middle class by providing hardworking Americans with the wages they have earned. I rise in strong support of this legislation.

As the son of a union machinist and a former employee of a clothing factory, I understand the struggles many Americans face in trying to meet basic needs at minimum wages. Increasing the minimum wage from \$5.15 per hour to \$7.25 per hour provides a necessary raise to 13 million of America's lowest paid workers.

For too long we have ignored the plight of American working families.

Providing a more reasonable wage is not only a commonsense issue but a moral one as well, and I am proud that one of my first few votes in the Congress of the United States will be to extend economic fairness and justice to deserving workers.

Mr. McKEON. Mr. Speaker, might I inquire again the time remaining.

The SPEAKER pro tempore. The gentleman from California has 24½ minutes, and the gentleman from northern California has 44 minutes.

Mr. McKEON. Mr. Speaker, we will reserve and let them take some time to kind of even that out.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1¼ minutes to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Speaker, a minimum wage increase is crucial for all Americans, more so for women and minorities.

Es de maxima importancia que este Congreso eleve el salario minimo, especialmente para las mujeres y menoresias.

Ten years of neglect, plus inflation, have left workers living below poverty.

Diez anos de olvido, mas la inflacion, han dejado a nuestros trabajadores en pobreza.

1.4 million working women will be main beneficiaries for an increase from \$5.15 to eventually \$7.25 per hour in 2 years, of which 33 percent are African American and Hispanic female workers.

Mas de uno punto cuarto millon de mujeres trabajan -seran las beneficiaries el cual son Hispanas y AfroAmericanas del salario de 5.15 a 7.25 pro hora.

It helps economic social conditions, reduces pay gaps. It helps the economy. More money spent will create more career opportunities through affordability of education.

Ayuda a la economia nacional ya que se gastara mas dinero.

Mujeres encabezadas de su familia podran tener mas dinero para mantener su familia.

Women breadwinners can increase economic and financial independence.

Enough talk. Take action. Have a conscience. Help America. Vote for the minimum wage increase.

The SPEAKER pro tempore. The Chair requests that the gentlewoman from California (Mrs. NAPOLITANO) provide a translation, of her remarks.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. KUCINICH), a member of the committee.

Mr. KUCINICH. Mr. Speaker, I rise today in strong support of the Fair Minimum Wage Act of 2007.

Over the past 9 years, as the price of food has increased and the cost of housing swelled beyond the reach of many workers, the purchasing power of the minimum wage has fallen to its lowest level in 51 years.

Since 1997, the Federal minimum wage has been stalled at \$5.15 an hour

without an increase or adjustment. This stagnation of the minimum wage has left families with no guarantee that a full-time job will enable their most basic needs to be met.

At the current minimum wage, a worker spending 40 hours a week, 52 weeks a year on the job, earns less than \$11,000 a year, leaving them more than \$5,000 below the poverty line for a family of three. That is shameful.

The passage of the bill today will directly help those families.

It is estimated that 5.6 million workers will receive an increase in their hourly wage if the minimum wage were raised to just \$7.25 an hour. An additional 7.4 million workers earning up to a dollar above the new minimum wage would also benefit. In total, 13 million workers will be aided by this necessary legislation.

The passage of this bill is a first step towards the greater goal of a living wage for every American worker because, even as it goes to \$7.25 an hour, there are many families who are still going to find themselves within the circumference of poverty. There are people who are looking forward to the action of this Congress.

But let it be said that the long-term objective, to ensure that workers are able to afford adequate housing and support their families, cannot be forgotten by this Congress.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1¼ minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR. Mr. Speaker, I urge my colleagues to throw a lifeline to the hardworking men and women in America by voting to increase the minimum wage from \$5.15 to \$7.25. It is no secret that health care costs are rising, along with property insurance, and it takes a lot to pay the rent these days. So, in a country where the average CEO earns more before lunchtime than the average minimum wage worker earns all year, this Congress must take action.

The increase in the minimum wage will help women, in particular, who comprise nearly two-thirds of all minimum wage workers. Many serve in the lowest-paying jobs back in our home towns, backbone jobs like child care, food service and cashiers. Many are women of color struggling to make ends meet for \$5.15 an hour.

In my district, according to the United Way of Tampa Bay, over 40 percent of the residents live in poverty. Well, we are going to lift them up. We are going to lift up millions of children by raising the minimum wage. American workers are long overdue for a raise because past Congresses have not increased the minimum wage in 10 years. But we are headed in a new direction now to improve the economic security for hardworking Americans. Step number one, raising the minimum wage.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1¼ minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ).

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise in support of the Fair Minimum Wage Act. This bill will help nearly 13 million workers and their families by raising the minimum wage.

The value of the minimum wage is lower than it has been in half a century. Instead of providing a living wage to hard-working American families, the minimum wage is a poverty wage. It is nearly \$6,000 short of the Federal poverty line for a family of three if a minimum wage worker works full time.

Shouldn't having a job raise you out of poverty, instead of trapping you in it?

The minimum wage has stagnated since 1997, but wages have soared for those highest on the income scale.

The average CEO of a Standard & Poors 500 company made \$13.5 million in 2005.

The average CEO makes 821 times as much as a minimum wage worker.

With salaries like these it is clear why an average CEO earns more before lunchtime than a minimum wage worker earns all year.

□ 1300

The average CEO is doing just fine looking out for himself. But America's most vulnerable families need someone who is looking out for them.

This bill is a good bill, it is an important bill, and it is the right thing to do. I hope all my colleagues will join me in voting "yes" on H.R. 2.

Mr. McKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. I thank the gentleman for yielding.

Mr. Speaker, as the ranking member of the Small Business Committee, I rise in opposition to this legislation as it is being offered to us today because it does not offer our Nation's small businesses the help that they need to pay for what amounts to a tax increase. Small businesses are the backbone of our Nation's economy.

Over the last decade, small businesses have annually created 60 to 80 percent of America's new jobs; 99 percent of all businesses in the U.S. have 500 employees or fewer, and that is what constitutes a small business by definition in this country, 99 percent. We are a Nation of small businesses. Yet, we are debating a bill today that fails to take into consideration the impact such legislation could have on the bottom line of those small businesses, the most prolific job creators in our economy.

Mr. Speaker, the simple fact of the matter is that this bill increases costs for mom-and-pop businesses, the Congressional Budget Office, CBO, estimates it to be \$5 to \$7 billion, without providing them the opportunity to grow their business and thus create more jobs. This bill does nothing to help small businesses lower their health care costs through association health plans. It does nothing to elimi-

nate the egregious death tax that forces the sale of so many family businesses and small farms around the country, and it does not provide incentives for small business owners to invest in and grow their businesses and thus create the jobs or the futures for the teenagers and many other people who are coming up in this country.

Mr. Speaker, our Nation's small businesses deserve better, and this House should do better. So vote "no" on H.R. 2.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague.

Mr. Speaker, I rise in strong support of H.R. 2. As cochair of the Congressional Caucus for Women's Issues, I am so proud to stand with many of my colleagues, as we repeat over and over today how vital this legislation is for women across this country. Women lag far behind men in terms of earnings. Nearly two-thirds of all minimum wage workers are women, many raising children.

This bill translates into over 9 million women who will benefit from a long overdue increase in their take-home pay. It is abominable that for the past 10 years we have sat by and watched the cost of everything skyrocket. Health care, child care, food, rent, anything you could think of, except for wages.

Minimum wage earners often are single moms and have been forced into longer hours, more jobs, more time away from their families, which, too often, has its own set of unfortunate consequences.

It is time that we all vote "yes" on H.R. 2. Take a great step forward towards achieving economic equality for women. Indeed, the benefits will be there for all Americans.

Mr. McKEON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, you know, this is such an interesting debate that we come here to have on the minimum wage issues. All of our economic issues debates end up being such interesting debates, and I always love it when I hear the statements made that this is wrong and that is wrong, and our focus becomes, let us go to the government and expect the government to fix it.

Mr. Speaker, you know, we know that just is not so. I have found it so interesting that you would hear from people that it appears that the Republicans never raise the minimum wage. What about 1994? What about 1997?

Then we hear all of this about explosive costs. But what we are not hearing is that per capita disposable income has risen 9.2 percent in real dollars since 2001.

All the millions of jobs that have been created, nearly 7 million since 2003 alone. The reason this happens is because of good economic policy, be-

cause of good tax policy, because in leaving more money with the individuals that earn it and not doing things that are going to harm small business, as the gentleman from Ohio said, most of our Nation's jobs are created through small businesses.

We know from the Congressional Budget Office, the CBO, they estimate that a minimum wage increase without considerations for small businesses and their workers would impose a 5 to \$7 billion unfunded mandate on small businesses.

Now, I ask my colleagues from across the aisle, are they willing to stand up today and pass an unfunded mandate, a 5 to \$7 billion unfunded mandate on our Nation's small businesses? We know, raising the minimum wage will reduce employment, and I encourage my colleagues to oppose the Democratic bill.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the chairman of the committee for bringing this important bill to the floor.

Mr. Speaker, the minimum wage is a women's working issue, and it is an issue for our children with over 1.4 million working mothers across this country who earn the minimum wage.

I would say to my colleagues on the other side of the aisle, what is it worth to you to have someone lift and bathe your elderly sick relative in a nursing home and empty their bed pans? Is it worth more than \$5.15 an hour?

How about cleaning the bathrooms of the Democratic and Republican Conventions? People tend to not pay attention to those workers. How about washing dishes in restaurants across this country? How about caring for dozens and dozens of 3-year-olds in daycare centers across this Nation? How about those women that lift all those heavy trays at those restaurants that you all eat in, bringing food to the people across this Nation? Surely it is worth more than \$5.15 an hour.

Even when it is raised to \$7.25 an hour, if a woman has children, she is going to live in poverty anyway, so she has to work two jobs, most of them without health insurance. Preserve the value of work in this country. Vote for the increase in the minimum wage. It is the right thing to do.

Mr. McKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Speaker, it has been an interesting debate today. We have heard on the other side: Today is the day I am going to vote to give the American worker a raise. Would that we all had that kind of power. Unfortunately, with this, we can dictate that. Unfortunately, somebody else has to pay that wage.

It is simply not right to inject ourselves into the free market in that way. Yes, it would be nice if everyone could make a larger wage.

The problem is, the price of everything is elastic. When the price goes

up, the demand goes down. Those are the irrefutable laws of the free market. To think that we can simply go in and dictate and change things that way is wrong.

Less than a month ago I was in Cuba. Now, in Cuba, a janitor makes the same as a doctor. Some might say that is a good thing until you realize that they both make about \$20 a month. It is not good when government controls the price and wage and controls the economy.

I am not suggesting that we are anywhere close to that, but supposing that we can inject ourselves and have this week wage controls, a little later this week, price controls in the form of negotiating with companies what drugs are going to cost, is simply the wrong direction to go.

I would urge everyone here to reject the notion that we as Members of Congress should inject ourselves into the free market in that manner.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Mr. Speaker, I rise in strong support of the Fair Minimum Wage Act, H.R. 2. As you know, women and minorities make up a disproportionate number of those earning minimum wage. In fact, they haven't seen a wage increase in 10 years. Too many single head-of-household women struggle to make ends meet, some working two and three jobs every single day to make sure that their children are cared for and the rent is paid for; 61 percent of those are sole bread earners. One-third of those, as you know, are women raising their children. Most don't even have an opportunity to have health care coverage. African American women and Latinas only make up 23 percent of the workforce, but they represent 33 percent of the women only receiving minimum wage.

This fair minimum wage package will allow for 1.4 million working moms to get an increase in pay. Let us not forget those women who are working in the garment industry in the Northern Mariana Islands who only earn \$3.05. These women also work up to 20 hours a day in squalor with no health care and no reform in labor.

I stand up for those working women and men, and urge the support of H.R. 2.

Mr. McKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. AKIN).

Mr. AKIN. Mr. Speaker, there is a cynic that once said that one of the things that we learn from history is that we learn nothing from history. I don't accept that entirely, but it certainly appears to be that way on the floor of the U.S. Congress today.

You don't have to look in the recent past; you go back to 1640 in England. And they had wage and price controls. They thought it was a compassionate thing to set a price on a loaf of bread, a day's labor and a ton of coal. Then

the Black Death came along and killed a whole lot of their workforce, and the price for a day's labor remained the same. England and their economy languished until a guy came along that the Brits don't even like by the name of Oliver Cromwell, and he abolished all of the government wage and price controls, and the economy surged.

The effect of an increase of 40 percent on minimum wage is going to be several things. The first thing it is going to do is: any job between the current minimum wage and the \$7 is going to do one of several things. First, it will be exported overseas. If it is not exported, it will be taken on the black market by, perhaps, some illegal immigrant who is willing to work for less than the minimum wage. Or it will just be passed on to everybody as an increase in cost of living.

Those are the alternatives. It would be very nice if we could, by mandate from this floor, say that everybody is going to make a lot more than that. Why not \$20 an hour? The reason is because what happens is we become less competitive, and we ship the jobs overseas.

We are proposing that if we are going to do this, particularly to all of these jobs in small businesses, that we at least give the small businesses some kind of a break to compensate and to try to provide some health care for some of those people. That is the reason why we are opposing just a straight 40 percent increase, because the effect is going to be, yes, some people are going to get more money, but a lot of jobs, it is just like taking the old chain saw out and chopping off another low rung in the ladder.

There are people who will end up in welfare accordingly. Vote "no" on House Resolution 2.

The SPEAKER pro tempore. For purposes of the managers being guided, Mr. MILLER of California has 35¾ minutes. Mr. McKEON of California has 17 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, it is rather interesting that speaker after speaker gets up on the other side of the floor and in spite of the economic evidence of how well those States that have raised their minimum wages are doing compared in terms of job creation and economic growth to those States that kept the minimum wage low; it is rather compelling and overwhelming evidence in terms of higher job growth and higher economic growth, significantly higher even in the retail professions in those States that increased the minimum wage.

It is also rather interesting in light of the fact that the Gallup Poll of small business owners in March of last year said the overwhelming majority of small business owners, 86 percent, say the minimum wage had no impact on them. Nearly half the small business owners, 46 percent, supported the increase in the minimum wage.

It is an interesting dynamic you are talking about, but it is almost 20 years out of date in terms of the economics, what is taking place, as States have continued to raise the minimum wage, and the economic growth that has followed the wage increases that have followed, the growth and retail, which is very difficult in a competitive area, and the job growth that was created in those areas because people had money to put into the economy.

Mr. Speaker, I yield 1 minute to the gentleman from Maine (Mr. MICHAUD).

□ 1315

Mr. MICHAUD. I thank the gentleman for yielding 1 minute.

Mr. Speaker, I come to this floor as a proud union member after working 28 years at a paper mill in Maine. I come here as cochair of the Labor and Working Families Caucus. I come on behalf of the hardworking men and women of the State of Maine, and I am here to say we need to pass this legislation. The salaries of Members of Congress have increased by \$31,600 since 1997, while the minimum wage continues to earn just \$10,700 a year. Today, the average CEO earns more before lunchtime the very first day he goes to work than the minimum wage earner earns all year long. What kind of priorities are these?

We sometimes forget the face of the minimum wage worker. They aren't the corporate giants. They aren't the special interests. They are the hardworking men and women of this country, and they deserve a raise.

There is still more that we can do to help our people in this country work their way out of poverty and achieve prosperity, but increasing the minimum wage is a necessary first step.

Mr. McKEON. Mr. Speaker, I am happy to yield 2 minutes to the gentleman from Georgia, a member of the committee, Mr. PRICE.

Mr. PRICE of Georgia. Mr. Speaker, I thank my chairman for yielding me the 2 minutes' time.

I stand in support of more jobs and in support of all workers, understanding that there are consequences to what we do here and some of those consequences are unintended. When we increase the minimum wage, unless employers receive some sort of benefit, they hire fewer workers. Fewer workers. It discourages businesses from hiring the least-skilled workers who need the most assistance. Losing access to entry level positions deprives many unskilled workers of the opportunity to learn the skills that they need to advance up the career ladder.

Did you know that businesses actually cut the number of unskilled and disadvantaged workers on their payrolls after an increase in the minimum wage and that raising the minimum wage to \$7.25 an hour would cost at least 8 percent of affected workers their jobs? Minimum wage jobs are entry level positions that teach career skills that make workers more productive and enable them to earn a raise.

Two-thirds of minimum wage earners earn a raise within a year.

And, finally, why are there conflicting reports? How can each side produce numbers in their support? Well, it is because it is difficult if not impossible to count the results. Why? Because regardless of what we do here, regardless of what we make the minimum wage, it is really zero. What we can't count are jobs that are never offered. If we pass this, small businesses don't miraculously get more money to pay workers, so they hold off on hiring, and those jobs that are never offered are never counted.

I urge my colleagues to support a commonsense plan that will increase the minimum wage and increase business resources to provide that wage and save and increase the number of jobs.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I thank the distinguished chairman for allowing me to speak.

My colleagues, I cannot believe some of the rhetoric I am hearing from the Republican side of the aisle. The Republican ploy of combining tax cuts for the rich with the minimum wage increase is just simply mean-spirited and wrong. This bill should be passed cleanly and on its own. It has been close to 9 years since the last increase in the minimum wage, the second longest period without a pay raise since the Federal minimum wage law was first enacted in 1938.

While wages have remained stagnant, basic costs of living have skyrocketed. America's current minimum wage is simply not a liveable wage, and families are struggling to make ends meet as their living standards decline. An increase in the minimum wage is desperately needed if we are to lift those who are falling further and further behind. Raising the minimum wage is an issue of fairness, and it is time that we treat all working Americans with the fairness and equality they deserve.

I commend the Democratic leadership for including this in the first 100 hours of the 110th Congress. Some 7.3 million people will benefit from a raise in the minimum wage, and we need to do this forthwith. Please vote for the bill.

Mr. McKEON. Mr. Speaker, I yield myself 30 seconds.

My colleague, the chairman of the committee, earlier read a statement from a Member of the other body. I would like to read a couple of them.

Senate Majority Leader HARRY REID said, "If it takes adding small business tax cuts to get a minimum wage increase, we are going to do it."

Senate Finance Committee Chairman MAX BAUCUS said, "This Congress promised to raise the minimum wage, and we will. We also need to pass meaningful small business incentives along with the minimum wage increase. We can do both, and we will."

I commend them. I applaud them, and I am hopeful that when we leave this body, we will join together in a bipartisan, bicameral way.

Mr. Speaker, I yield 2½ minutes to the gentleman from Idaho (Mr. SALI).

Mr. SALI. Mr. Speaker, a number of my colleagues have pointed out the problems with raising the minimum wage; that it is an unfunded mandate on small business, will likely result in the loss of over 1 million jobs for low wage earners, that it will eliminate entry level jobs and actually hurt the poor more than it helps them.

The negative impacts will result naturally from the rules and principles of the free market. In my college courses, I learned that the rules and principles of free markets are the rules and principles that every business and worker are subject to in every transaction, every negotiation and every new idea. That is, those negative effects of this bill are unavoidable with its passage. In spite of the negative effects, this bill does seem destined to pass.

As a freshman Congressman, the likely passage of this measure has taught me a new principle: The force of Congress can be brought to bear and justified to suspend those natural laws which would otherwise control important matters. The well-intentioned desire of Congress to help the poor apparently will not be restrained by the rules and principles of the free market that otherwise do restrain American businesses and workers. Apparently, Congress can change the rules that would otherwise affect the affairs of mankind.

So, Mr. Speaker, I have asked my staff to draft a measure I call the Obesity Reduction and Health Promotion Act. Since Congress will apparently not be restrained by the laws and principles that naturally exist, I propose that the force of gravity by the force of Congress be reduced by 10 percent. Mr. Speaker, that will result in immediate weight loss for every American. It will immediately help reduce obesity problems in America. Weight loss will also help to promote the overall health of Americans as we have been vigilantly advised by our health care.

Mr. Speaker, I thank this body for the education I have received from the passage of this bill. Since the basis for the use of Congress's power is the same with both measures, I would also ask that everyone who is supporting the measure before us consider becoming an original cosponsor of the Obesity Reduction and Health Promotion Act, and I have a copy.

Mr. Speaker, I close by noting that, with the new principles I have learned, it appears to me that with Congress the sky is the limit.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, it has been 10 years since this Congress last approved an increase in the minimum

wage. In that time, increasing numbers of families have fallen out of the middle class, victims of economic pressures from rising health care and college tuition costs to gas prices, and an economic policy from an administration that has always seemed to push working families aside.

Raising the Federal minimum wage from \$5.15 to \$7.25 an hour is so important so the fundamentals of our economy remain strong. But that barely masks the troubles that families face. Household incomes are down nearly \$1,300 from 2000, employee compensation at its lowest level in 40 years. This economy is not producing rising living standards for most families. Today we can expect to have the first sustained period of economic growth since World War II that fails to offer a comparable increase in wages for workers.

Raising the minimum wage is not about handouts or making political statements but rather raising the earnings floor for workers in this country. Indeed, today a full-time minimum wage worker still earns only \$10,700 a year. My colleagues on the other side of the aisle, we make almost \$163,000 a year, and we are opposed to \$2 in a raise for working families? My friends, walk in the shoes of people who work every single day for a living. This Congress in the last session barely worked 2 days a week here for \$163,000 a year. Take heed. Raising the minimum wage has big consequences.

You know, 4 years after the last minimum wage increase, the American economy experienced its strongest growth in over three decades. Between 1997 and 2003, small business employment grew in States that had a higher minimum wage than those with a Federal minimum wage.

Mr. Speaker, it comes down to priorities. It is long past time here that this Congress recognize that we have an obligation to work to raise the standard of living in America for every single family, not just for the few at the top of the heap. That is what this legislation is about, and I am proud to support it.

Mr. McKEON. Mr. Speaker, I am happy to yield 2 minutes to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. Mr. Speaker, I thank the distinguished ranking member.

For 12 years I have come to the floor defending our free enterprise system and standing up for market forces in setting prices, costs, and wages. But I have to tell you, 9 years without a minimum wage increase is a problem, especially since, over those 9 years, corporate leadership has let us down in this country time and time again not honoring the traditions of responsibility to their workers and their stockholders. So, last year, I was one of the leaders asking us to increase the minimum wage but putting a very reasonable death tax exemption of \$5 million on to the legislation, and it passed this House with a strong support and almost passed the Senate, missing by

two votes. That is the best way to raise minimum wage.

The second best way is to add associated health plans, to give benefits for small businesses increasing the minimum wage.

I am going to continue to argue that that is the best way, but let me surprise you and tell you that even if that doesn't pass today on final passage, I am going to vote to raise the minimum wage, because you can't defend not raising it for 9 years if we are going to have a minimum wage. That debate is for another day, whether you should set wages or not. But with a minimum wage, you can't defend not raising it. The President needs to sign and increase the minimum wage.

Let's do it the right way though. But if that fails, we will vote for this and send it to the President, and I will bet he signs it because it is time for workers to have an increase. But we need to recognize the free enterprise system is what everybody values about this country most of all. They are moving towards free markets. Let's not trample on the markets, but let's recognize that 9 years is long enough, and at the end of the day, we will increase the minimum wage and send it to the President.

Now, how is that for bipartisan, Mr. MILLER?

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy.

We listened to our friends on the other side of the aisle cite averages, but those averages include the incomes of people like Bill Gates. They ignore the realities of 100 million lower-income Americans who are struggling to even approach middle income and who have been suffering a decline in recent years. These are people who pay more for food, for housing, for transportation. They are discriminated against by payday loans and subprime lending. Some are too poor to qualify for the child tax credit because of the perverted tax priorities that the Republicans have had in the last 12 years.

The dire results that have been cited by my friends on the other side of the aisle are simply hogwash. I come from one of the 28 States that increased its minimum wage and has indexed it automatically for inflation. Since we have done that, our economy is stronger, and our business leadership will tell you that what we have done is fair; it is good for all of us, not just the poor.

I hope this is a first step that is followed by increased awareness and sensitivity to 100 million lower-income Americans. Helping 13 million today with their first pay raise in 10 years is a good start.

Mr. McKEON. Mr. Speaker, might I inquire as to the amount of time remaining.

The SPEAKER pro tempore. The gentleman from southern California has

10½ minutes; the gentleman from northern California has 28 minutes.

□ 1330

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding.

Everybody gets a pay raise, Mr. Speaker, except those who need it most, those who work for thousands of dollars below the poverty level. Small business has gotten the benefit of tax cuts and incentives for years, but the least-paid workers have gotten zero increase. The middle class is screaming about health care costs. Most of these workers don't have any health care. Don't get sick on the minimum wage. And not only the 10 percent of the workforce on the minimum wage will benefit. Other low-wage workers will also get a bump-up as a result.

This should be a matter of conscience. How could we look past these workers for almost 10 years? They serve us at the worst jobs with the lowest pay.

Let me remind us welfare is term limited. These mothers go straight on to minimum wage jobs. Do the family values people really want single mothers to continue to work two jobs just to get food on the table? Believe me, these mothers won't hit the jackpot with this small increase.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, it is a new day, a new Congress, and a new direction for America.

The previous Congress could have increased the minimum wage, but it didn't. The Congress before that could have, but it didn't.

Every day, over 6 million Americans choose work at \$5.15 an hour over welfare. For 10 years, the old Congress chose to do nothing to reward the labor and dedication of those Americans who do some of the hardest work for the lowest pay.

\$5.15 an hour, that is less than \$900 each month. How much do you pay every month just on your mortgage or your rent, your car payment?

Today, compared to 1997, we pay 25 percent more for a loaf of bread, 77 percent more for college, 97 percent more for health insurance, and 130 percent more for a gallon of gas. But, for those 10 years, the minimum wage has not changed.

Mr. Speaker, every American worker who works hard full time all year should escape the grasp of poverty. The time for excuses expired 10 years ago. It is time to increase the minimum wage for hardworking Americans. This new Congress will deliver for America's workers.

Mr. McKEON. Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I thank the chairman. He has put together legislation that should be commended. It is the right thing, the fair thing to do to vote for this legislation today. The Congress will finally take care of our working class brothers and sisters.

I must say, though, that the gentleman from Tennessee and the gentleman from Idaho had better get their economics straight. In their logic, we should reduce the minimum wage so we will produce more jobs. If that makes any sense, you are really off the reservation.

My friends, this is an opportunity for us to put aside politics and get to the heart of the issue. At \$5.15 an hour, a full-time minimum wage worker brings home \$10,712. How could anyone live on that sum in this day and age? We all know that, since 2000, the costs of health insurance and gasoline and home heating and attending college have skyrocketed to the tune of almost \$5,000 annually. Clearly an untenable situation for American workers. And just this week Northeastern University put out this report, an increase of productivity for the American worker of 17 percent and an increase in wages of 1 percent.

The little guy is going to get help from this Congress, and you had better get that straight, to all of the folks on both sides of the aisle. The little guy is not going to be forgotten any longer.

This is an important piece of legislation. Raising the minimum wage today will provide an additional \$4,400 a year for a family of three, equaling 15 months of groceries. That is good enough for me.

Mr. McKEON. Mr. Speaker, I yield myself such time as I may consume.

The gentleman said that this Congress will remember the little guy. The small businessmen that we are trying to help, for the most part, are little guys.

I remember when I first started in business. It was a small family business. We had two stores. My dad ran one, and I ran one. I couldn't afford any employees. I had to wait until a friend came in and I could ask him to watch the store for a minute so I could use the restroom or maybe grab a sandwich, or I would just eat standing behind the counter if I didn't have any customers in. So I understand the problems that we are facing.

And if we could all focus back on the debate today, the substitute bill that the Republicans wanted to put into play that Mr. McCRERY and introduced yesterday does exactly the same thing as the Democratic bill on increasing the minimum wage. But it also goes further, to help small businesses to provide health care to the workers, which I think is very important. And

we are missing a wonderful opportunity to join together in a bipartisan way to work to help more people.

Mr. Speaker, I am happy now to yield 3 minutes to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Speaker, I thank the gentleman and thank the colleagues across the aisle for this important debate.

I think one of the things that should be brought to our attention is that the debate is not subject to amendment. We are not able to really consider and take action based on our considerations.

We received a communication from Rebecca Dow, who is the founder and executive director of Apple Tree Educational Center, a nonprofit institution serving low-income/at-risk children in Truth or Consequences, New Mexico. She stated that if a Federal or State minimum wage passes, the reimbursement for child care assistance is going to be so low that providers cannot continue providing service for low-income families. For programs like Apple Tree, it will mean closing. There are going to be unintended consequences.

As a small business owner myself, I will tell you that we are not talking about the middle class working for minimum wage. I will tell you that we are not talking about people who are right in the midstream of the employment force. I will tell you that we are talking about giving jobs to people who are not and have not in the past been hireable.

We brought one man in who was 40 years old, tattoos from one end to the other. He told me after working 6 months he had never had a job, a full-time job, in his whole life. Because we could bring him in at a lower level, we did not have to have productivity, he was allowed to learn on-the-job training. That gentleman is still employed at the company which my wife and I sold after we came here because we were able to give him an entry level wage at an entry level job without much demand for performance.

In the last session, the last Congress, I voted to increase the minimum wage when the protections were there for small businesses. It is the small business people who get caught in the middle.

We heard from our colleagues on the other side that many small businesses support minimum wage. If that is so, they have got the instrument to do something about it. They simply increase wages. But it is those small businesses, family owned businesses, where the decisions are made, on the living room sofa and the dining room table. Those are the people that you are going to put up against very hard economic circumstances, people like Rebecca Dow, who is going to have to close her institution that provides child care assistance for low-income families in an area that has no other provider for this sort of service. I think these are the things that we should be

talking about and should be making allowances for, rather than rushing this bill to the floor in the manner that it is today.

I appreciate your concern for the working families and for the businesses of the country. There are changes that we need to make.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Speaker, I rise in support of raising the minimum wage for America's neediest workers, and I am proud that our Speaker, Speaker PELOSI, and Chairman MILLER have chosen this in the first 100 hours to help America's workers who have not been helped for a long, long time. It has been 10 long years, and America's workers need a raise.

I think this debate really does crystallize the differences between our side of the aisle and our Republican colleagues.

I have heard some arguments here this morning that government should not intervene in the market. But I want to remind my Republican colleagues that these workers are completely powerless to improve their situation.

The age of globalization has made these workers less powerful than they were 10 years ago. According to the Economic Policy Institute, of the nearly 7 million workers directly affected by the minimum wage, 80 percent are adults, 54 percent work full time, and 59 percent are women. The reality is that working families are struggling every day to try to make ends meet.

Look at it this way: In 1997, these workers made \$206 a week for working 40 hours. In 2007, they are making the same \$206. The problem is that while in 1997 it may have got that worker close to the poverty line at the end of the year, now they are \$5,000 below the poverty line because the cost of living has gone up 26 percent.

That is why I encourage my colleagues to join us in supporting the Fair Minimum Wage Act.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1¼ minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, the last time the real value of the minimum wage was this low, Elvis was singing "Heartbreak Hotel." But these days it is poor working folks, who have the heartbreak when the minimum wage is not even close to being a living wage.

We need to take the minimum for wages and raise it, because there is no maximum for prescription drugs, for tuition, for a visit to the doctor, for filling up a tank of gas. Meanwhile, if the gap between the rich and the poor in this country continues to widen the way it has under the Bush Administration, we will soon have the economic features of a third world country. A CEO earns in two hours what hard-working people earn on the minimum wage in an entire year.

As Dr. Martin Luther King, Jr., told workers in 1968, "It is a crime to live in this rich Nation and receive starvation wages." And it is a great wrong to deny the nearly one in five workers in Texas who will get a raise as a result of this bill.

A rising tide does not raise all boats if some of them are anchored to the floor by Republican ideology. The kind of objections we have heard today is why it has taken so long to do so little.

After ten years of doing nothing for the hardest workers, let's approve at least this modest increase.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1¼ minutes to the gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Speaker, I rise today in support of H.R. 2, the Fair Minimum Wage Act of 2007.

I first want to commend Speaker PELOSI, the Democratic leadership, and Mr. GEORGE MILLER for their leadership in making this issue a priority in the first 100 hours of legislation.

As Chair of the Congressional Asian Pacific American Caucus, I stand here with my friends from the Tri-Caucus in support of increasing the minimum wage to \$7.25 and urge Congress to support a clean vote to this bill.

It has been 10 years since the last increase in the minimum wage; and, adjusted for inflation, the minimum wage is now at its lowest level since 1955.

Over the past 5 years, the number of Asian and Pacific Islander Americans living in poverty has grown by 243,000. In 2005, more than 1.5 million Asian Pacific Islander Americans, nearly 9 percent of all APIA families in the U.S., were living below the poverty line. Certain ethnic communities, such as Hmong Americans and Cambodian Americans, experience poverty at up to three times that rate. The median household income for APIA families is down \$2,157 since 2000.

Now is the time for us to take a step in a new direction and help to improve the quality of life for the estimated 14.9 million workers in this country.

Mr. McKEON. Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank Chairman MILLER for yielding, and I want to thank him for bringing this piece of legislation before us.

Mr. Speaker, it is unacceptable that we have waited 10 years to address this problem. Unacceptable. We have waited far too long. Millions of our American citizens, our brothers and sisters, mothers and fathers, are working long hours to receive a minimum wage and are still living in poverty. In 2007, we should be ashamed of ourselves. We can do better. We can do much better as a Nation and as a people.

□ 1345

American workers are suffering. They are struggling to fill their cars

with gas, to put good food on the table. They are working hard, and they are still living in poverty. That is not right. It is not fair, and it is not just. All American workers deserve good pay for hard work. This is a matter of fairness. This is a matter of human decency. This is a matter of human dignity.

Nearly 20 States have increased their minimum wage above the Federal level. It is time for us in Congress to do the same.

In my district, the basic cost of living for a family of three is \$27,000. Even with the increase we are considering today, it is still \$12,000 short.

This is just the first step today, and we must do more for working families in the fight against poverty. President Roosevelt said it best when he said that the test of our progress is not whether we add more to the abundance of those who have much, it is whether we provide enough for those who have too little.

Today, Mr. Speaker, we must pass the minimum wage. It is time that Congress's actions reflect the will of the American people.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Mr. Speaker, I want to thank the chairman of the committee, Mr. MILLER, for his outstanding work on our behalf.

Mr. Speaker, today is the day that the Lord has made. Let us rejoice and be glad about it.

Today we are here to honor our promise to the American people. They have asked us and we have promised to increase the minimum wage, and we are here to deliver on that promise. I wholeheartedly rise in support of H.R. 2, to increase the minimum wage from \$5.15 to \$7.25 an hour. The American people deserve better.

Mr. Speaker, raising the national minimum wage is a first step in reducing the poverty rate in America. America's families have seen their real income drop by almost \$1,300 since the year 2000 while the cost of health insurance, gasoline, home heating and attending college have increased by almost \$5,000 a year.

As you know, the minimum wage has not been raised since 1997, and that is inexcusable and unconscionable. Mr. Speaker, the Bible tells us that our servant is worthy of his hire. Well, the American people are certainly worth more than the current \$5.15 minimum wage that they are receiving.

Again, I rise in support of this outstanding legislation, and I thank the committee and thank this chairman for being a stellar, outstanding leader in bringing more income to the American household.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I thank the gentleman from California, Chair-

man MILLER, and I rise in support of H.R. 2, the Fair Minimum Wage Act of 2007.

I am pleased that the Democratic leadership has taken a straightforward, no-holds-barred approach to expediting consideration of this legislation. And frankly, I am ashamed that it has taken so long to increase the minimum wage by so little.

What we do here today is a clear indication of the philosophical difference between Democrats and Republicans. My party, the Democratic Party, has tried to raise the minimum wage for nearly 10 years because we believe in live and let live. We believe that families should be fairly paid for their labor. We believe that wage earners, the true backbone of this Nation, should be able to put food on the table, roofs over their families' heads, clothes on their families' back and to have basic health care.

Mr. Speaker, \$5.15 is totally unacceptable. No family can live on \$5.15 an hour. Many wage earners are working two and three jobs, both husbands and wives and even their children, trying to make ends meet. Americans deserve better, and Americans expect their representatives to assist them in their quest for a decent quality of life.

Today the story will be written about the difference between those who stood up for the least of these and the those who came to this floor and continued to bring unconscionable arguments to deny low-income wage earners a mere \$2.10 increase over their income in a 2-year period.

Many States could not wait for Congress to act, and they have undertaken to increase their wages. In my own State of California, the minimum wage effective January 1 of this year has increased to \$7.25.

Mr. Speaker, 6.6 million people will benefit from raising the minimum wage. The economic gap between the rich and poor is growing. Too many people are living at or below the poverty line. When we pass this bill, we will all feel better about ourselves.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I rise in strong support of increasing the minimum wage. I want to thank Speaker PELOSI and the Democratic Caucus for deciding that this would be a priority for this Congress.

I come from the State of Illinois where, 2 weeks ago, the Governor signed into law a new bill raising the minimum wage to \$7.50 an hour, moving toward a livable wage. So I am so pleased that we are on track to follow the great State of Illinois, and I look forward to the day when we will be talking about a livable wage for every American who works so he and she can earn enough money to take care of the basic needs of their family.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Speaker, I rise today in support of the Fair Minimum Wage Act of 2007 because Americans desperately need a raise.

Currently, millions of Americans go to work every day but still cannot afford to make ends meet. Sadly, children are at the losing end of this equation. Seven million families cannot afford to adequately provide for their children because they are working for poverty wages. With this bill, we can begin to turn that trend around.

Working families are the true beneficiaries of this legislation. Nearly 80 percent of affected workers are adults, and 46 percent of affected families rely solely on the earnings of minimum wage workers.

Mr. Speaker, nearly 15 million Americans will likely benefit from this bill, millions of them children whose parents are losing quite a bit of money as we speak.

I want to thank Speaker PELOSI, Representative MILLER, and my friend, STENY HOYER, for their tireless work on this issue.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentleman from California, and I want to say this legislation gets an "A" in politics and a "D-minus" in economics; an "A" is politics most people aren't going to notice that the very people who are pushing it are the ones who voted against the Bush tax cuts for the low-income bracket, reducing it from 15 percent to 10 percent.

It is going to be good politics because most people will overlook the fact that the majority of the Democrat Party are going to vote against affordable health care for the working poor.

It is good politics because most people won't notice that the Democrats didn't have a committee meeting which would have given them an opportunity to parade out all of these workers who they have been saying over and over again depend on Congress for their salary and wages because apparently they cannot earn more on their own, only Congress themselves can increase this.

It is going to be good politics for them because most people won't realize that, since 1997, in the last 9 years, that 29 States have increased the minimum wage, and that is a fact that keeps getting overlooked.

And it is going to be good politics because most folks know that union wages are going to be linked into this, and it is going to increase the wage salary for the union workers who support them so dearly.

But it is going to be bad economically. As I said, an "A" in politics and a "D" in economics because the reality is that most minimum-wage earners are part-time, and most are well above

the poverty level. Most are teenage workers: 52 percent under 25; 40 percent have never had a job before. It is an entry level job.

If the Democrat Party truly wanted to take on poverty, they would have to say, what is the relationship between marriage and the poverty level, and between hours worked and the poverty level. Because the truth of the matter is if people in poverty, if many of them would marry and many of them would work 40 hours a week, they would be out of poverty. It is not anything I claim to have the franchise on, the knowledge of, all of the information on, but it is an economic fact. I hope that we can have committee hearings on that and discuss that, because if we want to attack poverty, that is where we need to go.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Speaker, I have waited a long time for this day. This is a great day. It is a day that the American people have been waiting for a very long time.

Helping the poor is a theme that is stressed throughout the Bible, but it is our responsibility as Members of Congress to help raise the standard.

I am so pleased today that we are going to have an opportunity to have a clean vote on raising the minimum wage for the first time in 10 years.

You know, the sad thing is that a CEO before 12:00 earns more money than a person on minimum wage will earn all year long. In talking to some of the CEOs about it, they mention, maybe we are trying to help students or part-time workers. The truth of the fact is, we are raising the minimum wage. We are providing an additional \$4,400 per year for a struggling family to make ends meet and keep up with the rising cost of living.

This bill is not about students and part-time workers. No, it is about the nearly 13 million full-time workers, many with families to care for, who earn the minimum wage. In my State of Florida, the increase would directly benefit over 200,000 workers and have a positive effect on over a half million people.

Today is a great day for America and for the American worker. I urge my colleagues to vote "yes" on this bill. I hope the Senate passes this version as soon as possible so that we can provide immediate relief to our Nation's workers.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. AL GREEN) who has been a long-time advocate of the increase in the minimum wage, both in this Congress and before he came to this Congress.

Mr. AL GREEN of Texas. Mr. Speaker, it has been said, but it bears repeating, that a person working full time, full time at \$5.15 an hour, will make \$10,700 per year. If that person happens

to have a child, that person is living below the poverty line of \$13,461.

No one in this, the richest country in the world, should work full time and live below the poverty line. In this country, we want people to work their way out of poverty. What better way to have them do this than have a minimum wage that gives people a job and money that takes them above the poverty line.

□ 1400

Mr. Speaker, it is sinful for us to continue this debate without adding that in this country one out of every 110 persons is a millionaire. People don't want welfare. People want self-care. We want to give people the means by which they can say farewell to welfare. Raising the minimum wage will do this.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to begin by thanking the staff of the Education and Labor Committee, Jody Calemine and Michele Varnhagen, for all of their work on this legislation. They have diligently worked for years to get this day to come before the House of Representatives, and I know they have the appreciation of all of the members of our committee.

I also want to thank our newer staff members, Megan O'Reilly, Brian Kennedy and Michael Gaffin, for their good work today and all of their efforts on behalf of this legislation, preparing it for the floor.

I also want to thank my colleagues on this side of the aisle who argued on behalf of this bill to increase the minimum wage, and I want to thank my colleagues on the other side of the aisle who said that they were going to support this measure. They may not fully agree with it, but they said they would support it.

And I want to thank the cosponsors of this legislation, including I believe seven Republicans who were original cosponsors of this legislation and over 193 Democrats on this side of the aisle.

I was especially taken with the remarks of my colleagues on this side of the aisle who understand that this debate is about more than dollars and cents per hour. This is about the values of this Nation. It is about the value we place on work. It is about the statement that we make to people who go to work every day and work terribly hard in very difficult jobs that most people in this country would prefer not to have. But they go to work every day to do that, to provide for themselves, to provide for their children or to provide for their families.

When you talk to minimum wage workers, whether they are providing for themselves or themselves and a child or a child and a spouse, it is tough. It is tough. As the gentleman said on the front page of The Washington Post today, "When I get all done, I have nothing left for me," be-

cause he is also taking care of his parents as he is earning the minimum wage.

So this is a big day. This is a big day because this is the first time in 10 years that the Congress signals that in fact we are going to raise the minimum wage.

It is what our leader, Speaker PELOSI, said she wanted to do in this first 100 hours. In this first 100 hours she wanted to address urgent parts of the national agenda that are of deep concern to the American people. And to over 80 percent of the American people in this country, they understand that the increase in the Federal minimum wage is a matter of morality, it is a matter of their values, it is a matter of the reflection of our Nation. They understand that these people, minimum wage workers in this country, have been working at a wage that is 10 years old. Ten years old. And they understand the unfairness of that, and they understand the difficulty of that.

That is why we brought this bill as a clean bill, because we wanted to highlight and to speak to the Nation about this group of workers who are toiling in spite of the fact that in 28 States they have raised the minimum wage at or above the levels we are talking about. In spite of that fact there are still some 13 million people who are directly impacted by the actions we take here today and the actions we take later on to send this bill to the President of the United States.

There are 13 million people whose economic viability is dependent upon this bill to increase the minimum wage. That is why we have to do this, and that is why I am so terribly proud of the Members who stood up today and argued for this increase in the minimum wage.

Mr. Speaker, I will reserve 5 minutes of my time, yield 1 minute to the gentleman from California (Mr. McKEON) so he may have a similar amount of time, and yield back the balance of my time over the 5 minutes.

The SPEAKER pro tempore. Pursuant to section 508 of House Resolution 6, further proceedings on the bill will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 5 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1551

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HASTINGS of Florida) at 3 o'clock and 51 minutes p.m.

FAIR MINIMUM WAGE ACT OF 2007

The SPEAKER pro tempore. Pursuant to section 508 of House Resolution 6, proceedings will now resume on the bill (H.R. 2) to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

The Clerk read the title of the bill.

The SPEAKER pro tempore. When proceedings were postponed earlier today, 10 minutes of debate remained on the bill.

The gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. MCKEON) each have 5 minutes remaining.

Who yields time?

Mr. MCKEON. Mr. Speaker, I yield myself the balance of time. I appreciate the debate. I appreciate the job that you have done as Speaker.

This debate, Mr. Speaker, has been a good one, one marked by thoughtful dialogue on both sides of the aisle. Unfortunately, that thoughtful dialogue is limited to the last 3 hours, and only the last 3 hours. We didn't have any dialogue in the Committee on Education and Labor, we didn't have any dialogue at the Rules Committee, and because of the unprecedented terms for today's debate, the dialogue that did take place here on the floor certainly won't lead to any improvements in this legislation, at least here in the House. However, I do hold out hope that in the weeks to come, as those on the other side of the Capitol take up this issue, we can build upon this unbalanced legislation and extend proper protections to small businesses and their workers.

Nevertheless, the measure we are poised to vote on in a few minutes is marked more by what is not in the bill than what is in it. Small businesses are the backbone of our economy. They create two-thirds of our Nation's new jobs, and they represent 98 percent of the new businesses in the United States. What protection does this bill provide them? None whatsoever.

The same small employers are looking for a more cost-effective way to offer health care benefits to their employees, just as large corporations and labor unions across our Nation can do because of economies of scale. What protections does this bill offer these same small employers? None whatsoever. They are the ones that are going to be providing these jobs that are going to be paying the higher wages, and they are getting no relief, no help. As a consequence, people, many people, one study says 1.6 million people, will end up losing their jobs as a result of this.

Working families, many of whom would benefit from a minimum wage increase and many of whom depend upon small businesses, are looking to Congress for innovative solutions that would improve their access to affordable health care. What protections does this bill provide them? None whatsoever.

My colleagues, we can do better. In the interest of sending the President a

final measure that provides consideration for small businesses and their workers, the very men and women who are responsible for our economy's recent growth and strength, we must do better. And I believe, once Congress completes its work, we will do better. In the meantime, I urge my colleagues to oppose this unbalanced legislation.

As this debate continues in the weeks to come, I am hopeful that all of us will be mindful of the concerns and the sacrifices of small businesses in each and every one of our districts. If we do that and if we provide them the protections they need and deserve, I am confident that the final product we send to the President's desk will be far superior to the unbalanced and scaled-down measure that we are about to vote on. With that, Mr. Speaker, I yield back the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to begin by commending you for the job you did in the chair today and the manner in which you conducted the debate on this issue; and I appreciate the professionalism with which you handled the gavel.

Mr. Speaker, Members of the House, I want to thank all of our colleagues who participated in the debate today. We have our differences of opinions, but I thought that the debate was well conducted.

We have waited for over 10 years to have this vote on the minimum wage, a clean vote on the minimum wage for the poorest workers in this country who have worked at a wage that is 10 years old.

You know, very often Members of Congress will take the floor and they will harken back to the time in their youth when they worked at the minimum wage and they will talk about the different jobs they had. Well, let me share with you that I, too, share those experiences.

I cleaned out oil tanks; I cleaned out ships; I drove trucks in the pear orchards; I picked fruit; I worked in the canneries; and sometimes I did two of those at the same time. I worked at night in the cannery and in the daytime in the oil refinery. I worked at the minimum wage. I wonder how I would have felt about that minimum wage if it had been 10 years old. If I was working at the minimum wage and my wages were 10 years into the past and everybody else working around me had current wages, I wonder how angry I would have been if I would have had to support a family—at one point I was supporting a family with those minimum wage jobs—I would have been very angry. I would have thought this was a very unfair system, that my wages were stuck 10 years in the past and everybody else's wages were current.

Well, that is what has happened to these workers up until today. Today, we finally release them from being frozen in time, where their wages are from

10 years ago, but when they go to the supermarket, the food prices are higher; when they put gasoline in the car, the gasoline prices are higher; when they pay the utility bills, the utility bills are higher; when their kids get sick, the medical bills are higher. All of those things are higher. They are living in 2007, but in their wages they are living in 1997. There is something terribly, terribly wrong with that picture.

That is why overwhelmingly throughout the country the people support this effort now to raise the minimum wage. Eighty-nine percent of the people believe that we should do this, and they basically believe it as a matter of economic fairness, of economic justice to these people who are working so hard at minimum wage, who, as we say over and over again, but remember what they are, they are the poorest paid workers in America today.

And when they turn on the TV, when they watch it on their lunch break, they see a CEO walk away with \$210 million and a golden handshake after that CEO took a good corporation and ran it into the ditch. They see people backdating stock options, they see people defrauding the corporation for extra compensation, and yet their wages are back in time.

This is a question of economic fairness that the American public overwhelmingly responded to in this past election; and it is this issue of economic fairness that our new speaker, NANCY PELOSI, said would be the subject of this hundred hours, that we would begin by trying to make America a fairer place for those who go to work and for those who try to provide for their families. We would make America a fairer place and we would begin by increasing the minimum wage, and that is what we are going to do in the next few minutes, when we receive a strong and a bipartisan vote to increase the minimum wage for these workers.

It is terribly important that we do this. It says something about us as a Nation. When it is questioned all over the world about the economic disparities in American society, the unfairness of it, we get a chance to begin that process to change that dynamic.

□ 1600

I think this is a wonderful moment for the House of Representatives, no matter what side of the aisle you sit on. We, the people's House, are going to address the needs of the people that we were elected to serve. They grant us, they grant us the authority and the ability and the honor to come to the Congress of the United States; and today, and today we are going to address their needs. Today, we are going to address the needs that have concerned them in their communities.

If I have any time left, I want to thank the new majority leader for his efforts over these 10 years to try to bring this vote to the floor when time

and time again he made that effort in the Appropriations Committee.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman from Maryland.

Mr. HOYER. I thank the gentleman.

We will celebrate Martin Luther King's birthday on Monday. I want to quote. He said this: "Equality means dignity, and dignity demands a job and a paycheck that lasts through the week."

That is what this vote is about, and I thank the chairman for his leadership.

Mr. Speaker, today, the United States House of Representatives, the people's House, demonstrated that we are committed to addressing the needs of all of our people—including those who struggle to make ends meet on the Federal minimum wage.

Today, the House will pass legislation, on a bipartisan basis, to increase the Federal minimum wage by \$2.10 per hour over the next 3 years.

The minimum wage, of course, has not been increased since September 1, 1997, making this House action long overdue.

Increasing the minimum wage is simply a matter of doing what's right, just and fair.

Eighty-nine percent of the American people support such an increase, according to a Newsweek poll.

President Bush has expressed his support.

And a bipartisan majority of the Senate passed a minimum wage increase in June 2006.

Now, we urge our colleagues in the Senate to hold a clean up-or-down vote on this issue as soon as possible.

In the United States of America, the richest nation on earth, workers should not be relegated to poverty if they work hard and play by the rules.

On Monday, we commemorate the life of a great American—Dr. Martin Luther King, Jr.

And Dr. King once said: "Equality means dignity. And dignity demands a job and a paycheck that lasts through the week."

Today, we heed those words.

We must not ignore our citizens who are struggling.

We must get the legislation to the President's desk without delay.

Ms. ROYBAL-ALLARD. Mr. Speaker, today I proudly stand with our new Speaker NANCY PELOSI and my Democratic colleagues as we live up to our promise to honor workers by passing the Fair Minimum Wage Act.

Increasing the minimum wage from \$5.15 to \$7.25 an hour over 2 years is badly needed and long overdue.

The previous Republican-led Congress passed tax cuts for the wealthiest and ignored the needs of hard working Americans earning the Federal minimum wage.

The result has been that our Nation's Federal minimum wage workers have been forced to support themselves and their families for nine years on a mere \$5.15 an hour, while at the same time the cost of living has continued to climb. The severity of a mere \$5.15 hourly wage is highlighted by what is happening in my home State of California, where the State minimum wage is \$7.50 an hour. This is more than two dollars an hour more than the current

Federal minimum wage. Yet many Californians, including many in my own district, continue to live in poverty. How much greater a struggle for survival it must be for those in our country earning only \$5.15 an hour.

Who are the workers in our country earning the Federal minimum wage? Most are full time hard-working American adults. Most have not had the educational and career opportunities of higher wage earners. Many of these workers are minorities and nearly all of these workers provide essential services, often in jobs that are dangerous and unreliable, yet essential to our American economy. An hour's pay, \$5.15, will not buy a gallon of milk and a loaf of bread. A day's wages will barely fill their car's tank with gasoline. And their monthly income may not be enough to cover their family's average monthly healthcare costs.

It is unforgivable that thousands of hard working Americans in this country live \$4,000 below the poverty line and struggle even to provide the basics of food and shelter for their families.

The Fair Minimum Wage Act honors their hard work and significant contribution to our Nation's economy.

Mr. Speaker, our consideration and approval of this bill as one of our first legislative actions is an important testament to this new Congress' commitment to hard-working low-income Americans who strive to provide for themselves and their families. The passage of this bill respects their work and their right to share in the American Dream.

I urge my colleagues to vote for the Fair Minimum Wage Act.

Mr. DINGELL. Mr. Speaker, I rise today in support of H.R. 2, a bipartisan measure to increase the minimum wage from \$5.15 to \$7.25 an hour over 2 years.

I am proud to say that my home State of Michigan is ahead of the game on this issue. Governor Granholm and the State legislature have already passed legislation to increase the State minimum wage. A total of 28 States and the District of Columbia have a State minimum wage above the current Federal level.

I cannot understand why some of my colleagues are opposed to a measure that will directly benefit 5.7 million workers. Moreover, this measure clearly has the support of the American people. It is our job to represent the American people and I am proud that the new Democratic majority is getting the job done. We will succeed in raising the minimum wage during the first hundred hours of the 110th Congress—an accomplishment that the Republican majority could not—or shall I say cared not to—achieve in 10 years.

It is wrong to have millions of Americans working full-time and year-round and still living in poverty. At \$5.15 an hour, a full-time minimum wage worker brings home \$10,712 a year—nearly \$6,000 below the poverty level for a family of three.

Since 2000, America's families have seen their real income drop by almost \$1,300, while the costs of health insurance, gasoline, and attending college have nearly doubled. Passing H.R. 2 would mean an additional \$4,400 per year for a full-time worker supporting a family of three—equivalent to 15 months of groceries, or over 2 years of health care—helping them to keep up with rising costs.

Mr. Speaker, this legislation is an important first step in a new direction for working families and I urge my colleagues to support it.

Mr. RYAN of Wisconsin. Mr. Speaker, after careful consideration of H.R. 2, it is with great regret that I announce my opposition to this version of a minimum wage increase.

I believe an increase in the minimum wage should be accompanied by small business relief to offset the burden placed on U.S. employers, so these businesses can absorb the costs of an increase.

Last year, I supported an increase in the minimum wage because it also included tax relief measures for employers to offset the cost of the proposed minimum wage increase. It is unfortunate that House leadership, rather than bring this balanced approach to the floor for a vote, instead introduced what basically amounts to an unfunded mandate on our Nation's small businesses.

According to a 1999 study by the Small Business Administration, approximately 54 percent of our Nation's minimum wage earners are employed by firms who have less than 100 employees. This minimum wage increase will force our Nation's small businesses to make tough cost-cutting decisions in order to stay in business. When coupled with health care cost increases they are already facing, which the National Federation of Independent Businesses estimates at 15–20 percent, many employers will be forced to either increase the costs of their products or lay-off lower skilled workers. Both options would have detrimental effects on the substantial progress our economy is making.

This legislation also hurts job creation. Economists widely agree that an increase in the minimum wage without an offset for small business relief will result in much higher unemployment for workers. This is because an increase in the minimum wage also represents an increase in the costs faced by employers around the Nation. When our Nation's businesses face increases in their total cost per employee, they must often face the tough decision of either cutting jobs or reducing employee benefits such as health care, day care or vacation time as they struggle to pay for the new wage requirements.

In short, it is essential that any increase in the minimum wage be accompanied by tax relief or health care savings for our Nation's small businesses. Because this legislation does not include any provisions that may offset the costs it levies on our Nation's employers, I cannot support it.

Mr. MEEK of Florida. Mr. Speaker, I rise today to express my strong support for H.R. 2, which calls for an increase in the minimum wage to \$7.25 per hour.

Thirteen million of our Nation's lowest-paid workers have not had a pay raise for nearly 10 long years. It took the intervention of the voters to kick out the Republican do-nothing Congress, which loaded up past minimum wage legislation with special interest goodies, but today we are finally getting serious about helping this Nation's working people.

The typical American worker earning \$5.15 per hour has been forced to bear the brunt of rising costs and stagnant wages; since the last minimum wage increase, the cost of health insurance, gasoline, food, electricity, and education has risen, yet wages have remained frozen.

Minimum wage today in Florida is \$6.67 per hour. Yet, according to the Department of Labor in 2005, 117,000 Floridians earn at or below the \$5.15 per hour Federal minimum

wage. Too many Floridians are stuck in this poverty trap.

I urge the Senate to move on this with the same speed and urgency that we have here in the House.

Mr. CONYERS. Mr. Speaker, I rise today to support H.R. 2, the Fair Minimum Wage Act. After the longest period since the enactment of this law without an increase—over 9 years—America's poorest working families must get the raise they need and deserve. During this period in which Congress has failed to act to raise the wage of America's poorest workers, CEO and top executive pay has soared: the average annual compensation for a CEO at a Standard & Poor's 500 company rose from \$3.7 to \$9.1 million. Meanwhile, 28 States have seen the light and raised their State minimum wage to a level higher than the current Federal minimum wage of \$5.15.

A full-time minimum wage worker in 2006 earns only \$10,712 before taxes—nearly \$6,000 below the Federal poverty line for a family of three. This situation is unacceptable and immoral, as the wealth of our Nation, the richest in the world, continues to be built on the backs of the working poor. Working families in America are struggling to meet the rising costs of health care, gas, and housing, and \$5.15 an hour is simply not enough.

It's time for Congress to stop turning a blind eye to the plight of those workers making minimum wage and to address their needs. That is why I supported increasing the minimum wage in the 109th Congress, and that is why I am an original co-sponsor of the Fair Minimum Wage Act in this the 110th Congress.

H.R. 2 will increase the Federal minimum wage to \$7.25 per hour in three steps over 2 years. Sixty days after enactment of this legislation, the wage would rise from the current \$5.15 per hour to \$5.85 per hour. One year later, it would rise to \$6.55. And a year after that, it would finally rise to \$7.25 per hour.

The minimum wage needs to be raised not just for the goods and services it enables a person to buy but for the self-esteem and self-worth it affords. Wages must be adequate for workers to provide for themselves and their families with dignity.

Mr. WELDON of Florida. Mr. Speaker, I rise today to express my concerns about the substance of the legislation before us as well as the manner in which it is being considered.

The bill before us will have virtually no impact on those living and working in the state of Florida. Florida voters 3 years ago approved a ballot initiative setting a minimum wage rate higher than the federal rate and indexing it for inflation. Assuming enactment of this bill later this spring, it is important to note that the federal rate is not likely to catch up to Florida's minimum wage until mid-2009 only to once again fall behind in January 2010.

Just six months ago, I joined 230 of my colleagues, including 34 Democrats, in passing a bill that increased the minimum wage to \$7.25 per hour while also providing important tax relief to help small businesses transition to the higher wage. Unfortunately, that bill was filibustered by Senate Democrats. This marrying of a minimum wage increase with small business tax relief was modeled on the successful approach we took in 1996 when a bipartisan coalition of 160 Republicans and 193 Democrats, including now Speaker PELOSI. I am pleased that Senate is pursuing a bipartisan approach and building on this past success.

Unfortunately, the Democrat leadership in the House has chosen to break with tradition, choosing partisanship over partnership, by bringing to the House floor a minimum wage bill that excludes tax relief to help small businesses transition to the higher wage. Congressional Quarterly lamented on January 8 that "House Democrats have established rules for floor debate . . . that will block Republicans from offering any amendment. . . ." The Congressional Budget Office puts cost of this bill at over \$16 billion for small business and nearly \$1 billion for the federal government. Once again, Democrats break their opening day promise by excluding this \$1 billion from their "pay-go" promises.

What has been absent from today's debate is a discussion about what the real downward pressure is on U.S. workers wages—illegal workers. After the federal government cracked down on illegal immigrants working at meat processing plants across the U.S., the company was forced to pay American workers a higher wage. Cracking down on illegal immigration, rather than granting amnesty to over 11 million illegal immigrants will do more to improve the wages of the working poor than a law increasing the minimum wage.

Finally, some have suggested that raising the minimum wage is the best approach to helping those living in poverty. There are much better and more targeted approaches to assisting the working poor, a minimum wage increase is a very blunt tool in doing that. Consider these facts:

The average minimum wage earner lives in a household with income above \$50,000/year. Less than 1 in 25 minimum wage earners are single parents who work full-time—very few families rely on minimum wage job to support a family.

Only one in five minimum wage earners lives below the poverty level.

The least skilled and most disadvantaged workers are the first ones to lose jobs when the minimum wage is increased.

68 percent of Americans live in states that have a higher minimum wage.

67 percent of minimum wage earners get a raise within the first year of employment.

Ms. SCHAKOWSKY. Madam Speaker, I rise today in support of H.R. 2, the Fair Minimum Wage Act. Nearly 15 million Americans, almost two-thirds of them women, go to work every day caring for our children and frail old people, cleaning up our messes, serving us food in restaurants, and for their efforts receive \$5.15 an hour, the Federal minimum wage. If they work 52 forty-hour weeks, their annual income adds up to \$10,712—\$4,367 under the poverty level for a family of three.

Other Americans—the CEOs of the Nation's top companies—made on average \$10,712 in the first two hours of the first workday of new year. According to a report by Americans United for Change, those CEOs make \$5,279 an hour, \$10,982,000 a year, or 1,025 times more than their minimum wage employees.

Those CEOs must really be special compared to the woman who changes their mothers' diapers or cleans their toilets. If she is a single mom with two children, she has to work 3 minimum wage jobs to provide for her family, according to Wider Opportunities for Women.

It didn't surprise me that a Newsweek poll found that 68 percent of Americans believed "increasing the minimum wage" should be one

of the top priorities for the new Democratic Congress. And it's no wonder that women around the country and in my district are signing petitions, calling, sending e-mails calling on us to raise the minimum wage.

Leta of Chicago wrote that "We need to increase the minimum wage," and Rebecca emailed to say that an increase "is shamefully overdue." Jacqueline in Skokie asked me to "Please restore a government which truly responds to the needs of the people."

It's hard to imagine any member of Congress objecting. After all, it's been 10 years, the longest span ever, since the minimum wage was raised. In that time, we members of Congress have received cost-of-living increases that have raised our salaries over \$30,000.

Today is the day we stand up for our lowest paid workers. Today is the day we give 15 million Americans a raise. And when we pass this modest increase, we should think of it as a down-payment on our commitment to assure that every hardworking American receives a living wage.

Mr. PORTER. Mr. Speaker, I rise today in opposition of H.R. 2, the Minimum Wage Increase Without Assistance for Small Business.

In Southern Nevada, we are fortunate to experience an extraordinary situation in regard to wage earnings and job growth. Since the tragedy of September 11, 2001, our economy has undergone a massive rebound with unemployment far below the national average and wages far exceeding the current federal minimum wage. The primary engine of this economic growth has been our small business community.

As a representative of a state who mandates a dollar above the federal minimum wage, the small business community in Nevada will feel the effects of this increase stronger than most states. The Republican alternative to H.R. 2 would provide the incentives our small businesses need to absorb the economic impact of a federally mandated increase in wages. Small businesses in my district, like Metro Pizza, operate on the smallest of profit margins. Sam Facchini, who has co-owned the business since 1987, had this to say about an additional increase to the minimum wage; "Our business is still adjusting to the most recent minimum wage increase. Small businesses are the backbone of our economy. We cannot continue to face unprecedented labor costs and be expected to prosper."

To meet an increased federal wage standard small businesses need the kinds of incentives for growth that the Republican alternative to H.R. 2 provides. I would like to remind my colleagues that we can only create new jobs through growth in the private sector. To limit this growth for the sake of a sound bite is tempting, but will have a devastating impact on an economy.

Certainly, our workers deserve the fairest compensation for their valuable labor. In Nevada, the State Constitution mandates that our minimum wage is one dollar above the federally prescribed level. Increases, however, must be carefully balanced with the ability of the business community to pay these increased wages. For these reasons, my voting record has remained clear, on July 29, 2006 I voted in favor of a similar bill that included a minimum wage increase as well as growth incentives for small businesses.

While the vast majority of American workers deserve higher wages, we must ensure that no jobs are lost as a result. I urge my colleagues to oppose H.R. 2, the Minimum Wage Increase Without Assistance for Small Businesses.

Mrs. JONES of Ohio. Mr. Speaker, I rise today in support of H.R. 2, the Fair Minimum Wage Act of 2007. This bill provides a long-awaited increase to the federal minimum wage by \$2.10 over 2 years—from its present level of \$5.15 an hour to \$7.25 an hour.

WOMEN, FAMILIES AND THE MINIMUM WAGE

I am pleased that, in 2007, my home state of Ohio has joined the 27 states across the nation that have fully enacted a minimum wage above the federal level. Minimum wage female workers account for 60 percent of minimum wage workers in Ohio. Ohio Policy Matters reports that approximately 253,000 Ohio children have a parent who benefits from the states recently enacted increase. Even more will benefit 2 years from this bill's enactment, when the minimum wage is raised to \$7.25.

While opponents of increasing the minimum wage often claim that minimum-wage workers are largely middle-class teenagers, recent reports from the U.S. Census demonstrate that among those workers who would benefit from this legislation, nearly half (48 percent) are the household's chief breadwinner. The Economic Policy Institute reports that 1.4 million working mothers would receive a direct raise and three million working mothers could be positively impacted by the Fair Minimum Wage Act. Nearly 4 million parents would benefit from an increase, including an estimated 623,000 single moms who would receive a direct raise under this bill.

According to the Center on Budget Policy Priorities, in 2006, the federal poverty line for a family of four was about \$20,000, well below what most Americans would consider a decent standard of living to sustain a family. Currently, a family of four with one minimum-wage earner has a total income, including food stamps and the Earned Income Tax Credit, of only \$18,950, \$1,550 below the poverty line.

HISTORIC PRECEDENTS

The minimum wage has been frozen at its current level for more than 9 years—the longest period without a minimum wage increase in U.S. history. Since its 1938 inception, there has been only one other period in which the minimum wage has remained unchanged for more than 9 years, from January 1981 until April 1990.

History has proven that past increases in the minimum wage have not had a negative impact on the economy. In the four years after the last minimum wage increase, the economy enjoyed its strongest growth in more than three decades, adding nearly 11 million new jobs. Small business employment grew more in states with higher minimum wage rates than in states with the federal minimum wage states—9.4 percent versus 6.6 percent.

CLOSING REMARKS

I am proud to support this bill. Its immediate consideration in these opening days of the 110th Congress is proof that when the Democrats have sway, working families have their way.

Mr. MARKEY. Mr. Speaker, today Democrats are fulfilling a pledge to millions of working families who have struggled for too long to make ends meet with a minimum wage that

has failed to keep pace with skyrocketing housing, health care, energy and other costs.

President Franklin Roosevelt told us, "The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little."

The federal minimum wage has remained unchanged for nearly 10 years, and its purchasing power has plummeted to the lowest level in more than half a century. It is unacceptable and immoral that millions of Americans have been working full-time and year-round while still being unable to afford the basic necessities of life.

By increasing the federal minimum wage by \$2.10—from \$5.15 to \$7.25 an hour over 2 years—we are giving a long overdue pay raise to about 13 million Americans, which amounts to an additional \$4,400 per year for a family of three. I am proud that my home state of Massachusetts already has taken similar action, increasing the Commonwealth's minimum wage to \$7.50 effective January 1, 2007. A total of twenty-eight states along with the District of Columbia have a state minimum wage above the current federal level. It is time for the federal government to catch up.

Raising the minimum wage will make an important difference in the lives of hardworking Americans across the country. The Senate should quickly pass similar legislation and President Bush should sign into law this much-needed increase as soon as it reaches his desk.

Mr. LANGEVIN. Mr. Speaker, I rise today as a proud cosponsor of the Fair Minimum Wage Act (H.R. 2). This bill will bring a long-overdue measure of fairness to the paychecks of millions of hardworking Americans.

We have now reached the longest period of time without an increase in the federal minimum wage since its creation in 1938. While the minimum wage remains stagnant, the cost of living for countless Americans continues to skyrocket.

In my home state of Rhode Island, the average two-bedroom apartment costs over \$1,147 per month. As a result, many people would need to obtain more than three full-time, minimum wage jobs just to afford a decent home, and that does not take into account other critical living expenses like food and medicine. This is an unacceptable reality that millions of hardworking Americans continue to face.

Raising the minimum wage is a critical first step in Congress's efforts to strengthen the economic security of our Nation's families. The Fair Minimum Wage Act will increase the federal minimum wage from \$5.15 to \$7.25 incrementally over a 2-year period.

Americans who work hard to make an honest living should not be forced to live in poverty, and by passing the Fair Minimum Wage Act, we will help ensure that all Americans have the ability to provide for their families and prosper. I urge my colleagues to join me in supporting the Fair Minimum Wage Act.

Mr. UDALL of New Mexico. I rise today to state my support for this legislation that would provide a long overdue increase in the minimum wage for millions of workers around the country. As many of my colleagues have stated today, Congress has failed to increase the minimum wage for more than 9 years. This is the longest period in the history of the minimum wage that it has not been increased. This is unacceptable and I am pleased we fi-

nally are taking action today to remedy this situation.

America's families have seen their real income drop by almost \$1,300 since 2000, while the costs of health insurance, gasoline, home heating, and college attendance have increased by almost \$5,000 annually. America's families have been squeezed for far too long. Increasing the minimum wage to \$7.25 an hour, which this legislation would do over the period of 2 years, is not a panacea for the hard working men and women who earn the minimum wage in our economy. However, everyone can agree that additional money in the pockets and savings accounts of these 13 million Americans will be of some help.

I strongly support H.R. 2 and urge my colleagues to do the same.

Ms. MCCOLLUM of Minnesota. Mr. Speaker, I rise today in strong support of H.R. 2, the Fair Minimum Wage Act. I congratulate Speaker PELOSI, Majority Leader HOYER and Chairman MILLER for their recognition that this is a critical issue to our economy and for their success in making a real difference for families across America.

The Fair Minimum Wage Act will raise the federal minimum wage from \$5.15 to \$7.25 over 2 years. This pay raise is the first in more than 9 years and will affect 13 million Americans.

This change is long overdue. Currently minimum wage employees working 40 hours a week, 52 weeks a year, earn only \$10,700 a year—\$6,000 below the poverty line for a family of three. The inflation-adjusted value of the minimum wage is 31 percent lower today than it was in 1979, and in real dollars a \$5.15 an hour minimum wage is worth just \$4.75. If the wage had just kept pace with inflation since 1968 when it was a \$1.60 an hour, minimum wage would have been \$8.46 last year.

While in the Majority, Republicans repeatedly blocked this increase with the argument that fairness for our lowest paid workers will hurt small business. However, this summer, 650 economists, including 5 Nobel laureates, announced their support for increasing the minimum wage and their view that these arguments against such an increase are simply not valid.

Mr. Speaker, while denying this needed wage increase, Members of Congress have received pay raises of over \$30,000. In addition, a recent study estimated that CEOs of top companies make in 2 hours what a minimum wage worker makes in a year. This inequity is not only an economic issue—it is a moral issue. American full-time, full-year workers should not be forced to raise their families in poverty.

A part of the hope and promise of America is that if you work hard, you will succeed. I am proud that the Democrats today are helping to make that dream a reality for millions of Americans.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today in opposition to H.R. 2, and in support of the Republican motion to recommit.

Americans deserve a decent minimum wage, but we cannot simply ignore the fact that somebody has to pay for it. In many cases, small businesses are the ones who must bear these costs.

The Democratic bill we consider today gives absolutely no consideration to small businesses at all. Small businesses are the backbone of our economy, providing two-thirds of

new job creation. They cannot, however, simply create money out of thin air. A small business might have been struggling to pay health care premiums for its workers. With this resolution, they may well now be unable to do so.

My Democratic colleagues frequently voice their strong support for small businesses. I don't understand why they cannot then acknowledge that this could be a burden and offer some help in the form of tax incentives.

My vote for this motion to recommit and against the underlying bill is intended to send a message to the other body that a minimum wage increase is only half of the equation. I am confident the other body will work in more of a spirit of compromise and recognize the concerns I mention here today. Indeed, I look forward to considering legislation that does contain common sense provisions that will protect our small businesses' competitiveness.

I urge my colleagues to vote for the motion to recommit to and if necessary against final passage.

Mrs. MALONEY of New York. Mr. Speaker, today, 13 million Americans are getting a raise.

Later today, during the first 100 hours of the new Democratic Majority, we will vote to raise the federal minimum wage from \$5.15 to \$7.25 over the next 2 years.

Nearly two-thirds of all minimum wage workers are women and women account for most of the full-time workers in some of the lowest paying jobs in our Nation.

Including 87 percent of all housekeepers, 93 percent of all child careworkers, 75 percent of all cashiers and 66 percent of all food servers.

Overall, women are twice as likely as men to work at the minimum wage.

Nearly 75 percent of female minimum wage workers are over 20 and 35 percent work full-time.

With this raise in the minimum wage, 7.7 million women will get a raise, including 3.4 million parents and over a million single parents—who are overwhelmingly female.

Raising the minimum wage would provide an additional \$4,400/year for a family of three, equaling 15 months of groceries, or over 2 years of health care—helping them to keep up with rising costs.

Raising the minimum wage is supported by 89 percent of the American public in a recent Newsweek poll. Another recent poll showed 72 percent of Republicans support the minimum wage increase.

The minimum wage has not increased in more than 9 years—the longest period in the history of the law. The real value of the minimum wage has plummeted to its lowest level in 51 years.

A minimum wage increase is particularly important at a time when America's families have seen their real income drop by almost \$1,300 since 2000, while the costs of health insurance, gasoline, home heating, and attending college have increased by almost \$5,000 annually.

It is wrong to have millions of Americans working full-time and year-round and still living in poverty. At \$5.15 an hour, a full-time minimum wage worker brings home \$10,712 a year—nearly \$6,000 below the poverty level for a family of three.

Passing an increase in the minimum wage is the right thing to do and I commend the work of Chairman GEORGE MILLER and Speaker PELOSI for bringing this measure to the floor today.

I urge all of my colleagues to support this vital legislation.

Mr. RUPPERSBERGER. Mr. Speaker, I rise today in support of H.R. 2, the Fair Minimum Wage Act.

This much needed increase in the minimum wage is long overdue. During the last 9 years since the minimum wage was last increased, 28 states and the District of Columbia have come to the aid of their citizens and passed laws implementing a higher minimum wage rate than the federal standard.

Increasing the federal minimum wage is not about giving high school students who work part-time a raise. It is about helping individuals and families meet their daily basic needs. Almost one-third of hourly workers earning less than \$7.25 lived in families with incomes of \$20,000 or less.

As prices for energy, health care, and daily living expenses including child care and college tuition continue to increase, the minimum wage has remained the same. This increase in the minimum wage is necessary to help families pay for the rising cost of these goods and services.

To understand what minimum wage earners are dealing with, imagine how much income you earned in 1997 and the cost of your daily expenses. For example, in Baltimore in January 1997, a gallon of whole milk was \$2.87. In January 2006 a gallon of whole milk was \$3.39, an increase of 18 percent.

Imagine now earning what you earned in 1997, but forced to pay at least 18 percent more for your daily living expenses. For many people, an increase of 18 percent over 9 years would not be noticed because typically job salaries would also increase. But for people earning minimum wage, any increase in the price of goods and services is noticed.

For a more dramatic example, consider the cost of a gallon of gasoline. In January 1997 a gallon of gas cost \$1.22 and in January 2006, the same gallon cost \$2.27, an increase of 94 percent. Increases of this magnitude impact the entire population but those who make the least will be hit the hardest.

How can we expect people earning the current minimum wage to keep up with the increasing costs of everything?

An increase in the minimum wage is essential to helping all Americans achieve economic security and for working adults to be able to meet the basic needs of their families. For this reason, I support H.R. 2 and raising the federal minimum wage.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today in opposition to H.R. 2, and in support of the Republican motion to recommit.

Americans deserve a decent minimum wage, but we cannot simply ignore the fact that somebody has to pay for it. In many cases, small businesses are the ones who must bear these costs.

The Democratic bill we consider today gives absolutely no consideration to small businesses at all. Small businesses are the backbone of our economy, providing two thirds of new job creation. They cannot, however, simply create money out of thin air. A small business might have been struggling to pay health care premiums for its workers. With this resolution, they may well now be unable to do so.

My Democratic colleagues frequently voice their strong support for small businesses. I don't understand why they cannot then acknowledge that this could be a burden and offer some help in the form of tax incentives.

My vote for this motion to recommit and against the underlying bill is intended to send a message to the other body that a minimum wage increase is only half of the equation. I am confident the other body will work in more of a spirit of compromise and recognize the concerns I mention here today. Indeed, I look forward to considering legislation that does contain common sense provisions that will protect our small businesses' competitiveness.

I urge my colleagues to vote for the motion to recommit to and if necessary against final passage.

Mr. SMITH of Texas. Mr. Speaker, the debate on H.R. 2, the "Fair Minimum Wage Act of 2007," would benefit from a discussion of the facts.

For example, increasing the minimum wage would not have a positive impact on all working and non-working Americans.

The number of people who would benefit from raising the minimum wage is not nearly as large as some claim and those individuals who receive the minimum wage are not nearly as poor as some suggest.

According to the Bureau of Labor Statistics, in 2005 only 2.5 percent of all hourly-paid workers earned the minimum wage. More than a quarter of those workers are teenagers and half are under 25.

Those who support a minimum wage increase should be forthright—some Americans will lose their jobs if the minimum wage is increased, especially youth and low-skilled workers. If the minimum wage is raised, businesses will incur additional costs and some will be forced to layoff employees.

Also, most individuals who receive the minimum wage have other sources of income, such as food stamps, government allowances, or earned income tax credits.

Still, we are confronted with the stark reality that over one million families must survive on little more than \$1,000 a month. These families need food, clothes, housing, transportation, and hope.

Frankly, any person who engages in honest labor deserves a worthy wage and a dignified life.

Some say there are jobs Americans won't do. That demeans hard-working Americans who do work in every occupation. It especially demeans those who work at back-breaking and dangerous jobs for little pay. If we want more Americans to take those jobs, then let's pay them more.

And today is a good time to start.

Mr. CROWLEY. Mr. Speaker, I rise in support of H.R. 2 to increase the minimum wage for working Americans.

After years of providing tax cuts to the richest people in our country, and raise after raise to Members of Congress, I am pleased to see that in the first 100 hours of Democratic control of Congress, Democrats are giving a raise to the working poor.

I firmly believe that increasing the minimum wage is a necessity to help working people provide for their families. In 6 years of Bushonomics, gas prices have gone out of sight, college tuitions are unaffordable for millions of working families, and the price of homeownership is escaping far too many people.

The lack of a basic wage increase has put an even greater hardship on the lives of many of my constituents—people who are actually working every day and playing by the rules.

Just the other day a constituent of mine from Jackson Heights stated the obvious in

support of a minimum wage increase—an honest day's pay for an honest day's work.

I completely agree with him.

In fact, 90 percent of minimum wage workers in New York City are adults, and two-thirds of them work full-time. Over four out of five New York City minimum wage workers are people of color: 41 percent are Hispanic, 25 percent are Black non-Hispanic, and 16 percent are Asian.

Additionally, while women represent 49 percent of New York City workers, they are 59 percent of minimum wage workers. It's clear minimum wage earnings are vital to many low-income households in New York City. In fact, 60 percent of increased minimum wage earnings would go to the lowest-earning 40 percent of New York City households.

Furthermore, with 15.5 percent of my constituents living below poverty, it's long past due to raise the wages of working people.

After raise after raise for Congress and the White House, it is amazing to me that the Republicans do not think that people who actually work 5 days a week do not deserve a raise.

That is why I urge my colleagues to support H.R. 2.

Under the Democrats America really is going in a new direction—and that direction is forward.

Mrs. CHRISTENSEN. Mr. Speaker, I rise today in support of H.R. 2—increasing the minimum wage. This is an important piece of legislation and one that has been over due for many years. The Federal minimum wage has not been increased in 10 years and the buying power of the Federal minimum wage is at its lowest level in 51 years.

I am proud to say that my district, the US Virgin Islands, has been ahead of the game by increasing the minimum wage to \$6.15 an hour last year—the second increase in 2 years—affecting more than 14,000 workers in the territory. This increase was supported by private sector leaders, who indicated that they were prepared to take on the wage increase, acknowledging that while the increase does impact business, it was manageable—purporting the true American spirit of prosperity for all.

Minimum wage increase is important to all Americans but impacts women by greater proportions. Two-thirds of workers over age 16 who work at or below the minimum wage are women. Studies of low-wage workers show that the main beneficiaries of this increase would be working women, almost 1 million of who are single mothers. The minimum wage increase would help to reduce the overall pay gap between women and men.

Mr. Speaker, raising the minimum wage will help to raise the income of many low-income families, especially those headed by single mothers. I urge my colleagues to support H.R. 2 and pass this long overdue increase in our national wages.

Mr. KIND. Mr. Speaker, I am proud to stand before you today in support of H.R. 2, the Fair Minimum Wage Act of 2007. It is essential that we ensure that all Americans are able to maintain a decent standard of living, guaranteed in part by real living wages that reflect today's economic realities.

With rising health care, energy, and education costs, America's hardworking families are being forced to do more with less. While Congress has failed to raise the minimum

wage over the past 10 years, it hasn't failed to raise its own pay. Since 1997, congressional pay has increased \$31,600. This is simply unjustifiable.

America is the most prosperous nation in the world. It is unconscionable that someone can work full-time and still live in poverty. Working full-time, a minimum wage earner will only bring home \$10,712 this year. This is \$6,000 below the poverty level for a family of three. More than 125,000 Wisconsin workers would directly benefit from this legislation.

While it is vital that we help the most vulnerable in our society, we must also ensure the livelihood of main street America's small businesses. These small businesses form the cornerstone of our economy and are essential to the well-being of our communities. That is why it is important that any increase in the minimum wage be implemented gradually.

I believe H.R. 2 accomplishes that by raising the minimum wage in a manner that will help the least fortunate while simultaneously protecting small business owners from sharp payroll increases. Sixty days after this legislation is enacted, the minimum wage would increase to \$5.85 per hour. One year later, it would rise to \$6.55 per hour and reach \$7.25 a year after that.

The American public supports raising the minimum wage. In November, six States passed minimum wage ballot measures. Currently, 28 States, including Wisconsin, have minimum wages above the Federal level. The time has come for Congress to listen to the States and the public and pass this important and overdue legislation.

I thank you Mr. Speaker, and urge all of my colleagues to do the right thing and give America's minimum wage earners a well-deserved raise.

Mr. KILDEE. Mr. Speaker, I rise today in strong support of H.R. 2, the Fair Minimum Wage Act of 2007.

The minimum wage has not been increased in nearly 10 years and its purchasing power is the lowest it has been in 50 years.

A full-time minimum wage worker earns just \$10,700 per year, which is \$6,000 below the Federal poverty level for a family of three.

The bill we consider today will benefit nearly 7.4 million workers directly, and another 5.6 million workers indirectly.

America's poorest working families must get the raise they need and deserve.

This bill is especially important given the fact that America's families have seen their real income drop by \$1,300 over the past 6 years.

At the same time, the costs of health insurance, gasoline, home heating and attending college have increased enormously.

Increasing the minimum wage demonstrates our commitment to workers everywhere and exemplifies the value we place on a hard day's work.

I urge my colleagues to join me in supporting H.R. 2.

Mr. PAUL. Mr. Speaker, the announced purpose of H.R. 2 is to raise living standards for all Americans. This is certainly an admirable goal, however, to believe that Congress can raise the standard of living for working Americans by simply forcing employers to pay their employees a higher wage is equivalent to claiming that Congress can repeal gravity by passing a law saying humans shall have the ability to fly.

Economic principles dictate that when government imposes a minimum wage rate above the market wage rate, it creates a surplus "wedge" between the supply of labor and the demand for labor, leading to an increase in unemployment. Employers cannot simply begin paying more to workers whose marginal productivity does not meet or exceed the law-imposed wage. The only course of action available to the employer is to mechanize operations or employ a higher-skilled worker whose output meets or exceeds the "minimum wage." This, of course, has the advantage of giving the skilled worker an additional (and government-enforced) advantage over the unskilled worker. For example, where formerly an employer had the option of hiring three unskilled workers at \$5 per hour or one skilled worker at \$16 per hour, a minimum wage of \$6 suddenly leaves the employer only the choice of the skilled worker at an additional cost of \$1 per hour. I would ask my colleagues, if the minimum wage is the means to prosperity, why stop at \$6.65—why not \$50, \$75, or \$100 per hour?

Those who are denied employment opportunities as a result of the minimum wage are often young people at the lower end of the income scale who are seeking entry-level employment. Their inability to find an entry-level job will limit their employment prospects for years to come. Thus, raising the minimum wage actually lowers the employment opportunities and standard of living of the very people proponents of the minimum wage claim will benefit from government intervention in the economy.

Furthermore, interfering in the voluntary transactions of employers and employees in the name of making things better for low wage earners violates citizens' rights of association and freedom of contract as if to say to citizens "you are incapable of making employment decisions for yourself in the marketplace."

Mr. Speaker, I do not wish my opposition to this bill to be misconstrued as counseling inaction. Quite the contrary, Congress must enact an ambitious program of tax cuts and regulatory reform to remove government-created obstacles to job growth. However, Mr. Speaker, opponents of H.R. 2 should not fool themselves into believing that adding a package of tax cuts to the bill will compensate for the damage inflicted on small businesses and their employees by the minimum wage increase. Saying that an increase in the minimum wage is acceptable if combined with tax cuts assumes that Congress is omnipotent and thus can strike a perfect balance between tax cuts and regulations so that no firm, or worker, in the country is adversely affected by Federal policies. If the 20th Century taught us anything it was that any and all attempts to centrally plan an economy, especially one as large and diverse as America's, are doomed to fail.

In conclusion, I would remind my colleagues that while it may make them feel good to raise the Federal minimum wage, the real life consequences of this bill will be vested upon those who can least afford to be deprived of work opportunities. Therefore, rather than pretend that Congress can repeal the economic principles, I urge my colleagues to reject this legislation and instead embrace a program of tax cuts and regulatory reform to strengthen the greatest producer of jobs and prosperity in human history: the free market.

Mr. MCGOVERN. Mr. Speaker, after a decade of inaction by the Republican majority, we stand to vote today on one of the most critical issues facing working Americans.

For years, the chairman of the Education and Labor Committee, Mr. MILLER, led our efforts to bring the minimum wage more in line with this country's growing cost of living. We pushed for a clean, up or down vote. But instead, as the 109th Congress winded down, we were presented with a muddled package of bills, and once again, the will of the American people was pushed aside to accommodate corporate interests.

So, I must commend Speaker PELOSI and Majority Leader HOYER for including this minimum wage increase in our first 100 hour commitment to working Americans. For the 6.5 million minimum wage earners throughout the country, this bill amounts to an additional \$4,400 each year. That alone would cover: 15 months of groceries; over two years of health care; and two and a half years of college tuition at a public, 2 year college.

Ultimately, up to 13 million low-wage workers will be helped by this increase.

Right now the average CEO of a Fortune 500 Company earns \$10,712 in 1 hour and 16 minutes. It takes the average minimum wage worker 52 40-hour weeks—an entire year to earn the same \$10,712. That's wrong, and we're going to fix it.

And, let's be clear, there is no evidence to support the Republican claim that an increase in minimum wage leads to job loss. For proof, we only need to look at the twenty-eight states and the District of Columbia that have set minimum wages that are higher than the federal minimum wage. In fact, a May 2006 study released by the Center for American Progress and Policy Matters found that employment in small businesses grew more than 9.4% in states with higher minimum wage; and inflation-adjusted business payroll growth was over 5% stronger in high minimum wage states. A 1998 study by the Economic Policy Institute found that unemployment and poverty rates actually dropped after the last increase in the federal minimum wage in 1997.

Working Americans are the backbone of our nation, and this increase is long overdue. I urge my colleagues on both sides of the aisle to join me in supporting this legislation.

Mr. SHAYS. Mr. Speaker, I rise in support of H.R. 2, the Fair Minimum Wage Act.

The time is past due for a raise in the Federal minimum wage, which was last increased in 1996. Today, workers making the least should be heartened that this legislation will raise their wages by \$2.10 an hour over two years to \$7.25.

Some argue that raising the minimum wage increases unemployment and prices. This is true only if the minimum wage is set too high or phased in too quickly. If done properly, there should be little to no impact on employment or prices.

Several economic analyses point to an important dynamic that I believe is at work: When the minimum wage is increased, people have more of an incentive to work, and less of an incentive to collect welfare or remain idle.

It is clear to me that increasing the minimum wage is a vital step toward ensuring work is more attractive than welfare.

Mr. Speaker, I urge the support of this legislation.

Mr. CAMP of Michigan. Mr. Speaker, I rise today in opposition to the bill before us that in-

creases the federal minimum wage without providing tax relief to America's small businesses.

I support a raise in the federal minimum wage. But, raising the minimum wage alone is missed opportunity to help American workers. Minimum wage legislation should include tax benefits for small business owners. The Democrat's bill increases the federal minimum wage from \$5.15-per-hour to \$7.25-per-hour over 2 years. This increase amounts to a 41 percent increase to employers. The Democrat bill does nothing to help these employers offset this huge increase—forcing employers to either reduce the number of people they employ or pass on the cost to consumers by raising their prices.

According to the most recent data from the Small Business Administration, an estimated 822,000 small businesses operate in my home state of Michigan. Under the Democrat's bill, 822,000 small business owners in Michigan can expect to pay 41 percent more over the next 2 years. In Michigan, where the unemployment rate is tops in the nation, workers and employers cannot afford higher taxes and added layoffs.

Instead of H.R. 2, I support and am a co-sponsor of H.R. 324, the Working Families Wage & Access to Health Care Act. This bill, authored by my colleagues Mr. MCKEON and Mr. MCCREY, offers a balanced mix of provisions that will raise the wage while softening the financial impact on small businesses who hire minimum wage workers.

The Working Families Wage & Access to Health Care Act includes incentives for new restaurant construction, eliminates the 0.2 percent federal unemployment surtax on small business owners, and extends important small business expensing provisions Republicans enacted in 2003. Greater expensing limits mean that business owners will have more capital to expand, employ more workers, and invest more in their communities. The bill will also provide better health care coverage for workers. H.R. 324 establishes Small Business Health Plans that allow small businesses to band together through associations and purchase quality health care for workers and their families at a lower cost.

I urge my colleagues to vote against H.R. 2 and instead support legislation that protects America's workers and promotes continued economic growth.

Mr. REYES. Mr. Speaker, I would like to thank Congressman GEORGE MILLER for introducing this important legislation, and the 213 members who have joined me as original co-sponsors.

I rise in strong support of H.R. 2, the Fair Minimum Wage Act of 2007, which would gradually raise the federal minimum wage to \$7.25 per hour over two years.

As you know, it has been ten years since we last increased the federal minimum wage, and when adjusted for inflation it is currently at its lowest level in 50 years.

Every single American who commutes to work has felt the financial pinch of the rising cost of gasoline, and none more so than those making minimum wage. According to the U.S. Department of Labor, when Congress last passed legislation raising the minimum wage, the national average price for gasoline was \$1.32 per gallon. Today, the average price of gasoline is \$2.39 per gallon, and millions of hard-working Americans are struggling to

make ends meet at a wage of \$5.15 per hour. The majority of these workers are adults over the age of 20 and over 6 million kids are children of workers who will be helped by this bill.

This proposed increase in the minimum wage would directly affect approximately 863,000 employees in Texas and at least 68,000, or more than 30 percent, of the workforce in my district of El Paso.

I know of many exceptional businesses in El Paso that have taken the initiative to pay their employees more than the proposed new minimum wage. I applaud them for their leadership, but we can and should do more by passing legislation to set the standard minimum wage of \$7.25 per hour, so we can move closer to ensuring that all workers earn a living wage for themselves and their families.

I ask all my colleagues to join me in supporting our Nation's working families by voting in favor of H.R. 2.

Mr. STARK. Mr. Speaker, I rise today in strong support of H.R. 2, the Fair Minimum Wage Act. For far too long, working class Americans have been struggling to make ends meet at \$5.15 an hour, a wage that leaves a family of three more than \$6,000 below the poverty line. Today we can make a real difference in the lives of millions of Americans by increasing the minimum wage to \$7.25 an hour.

In 1997, the last time the minimum wage was raised, \$5.15 went a lot further than it does today. A gallon of gas cost \$1.27 and a loaf of bread was only \$0.88. It may not seem to most like \$2.29 for a gallon of gas or \$1.14 for a loaf of bread is too much, but tell that to the minimum wage worker with gross weekly income of only \$206. They still have to drive to work and put food on the table, which is nearly impossible at \$5.15 an hour without multiple incomes or a second job.

For years, states have responded to the inadequacy of the federal minimum wage by passing higher minimum wages. Those states haven't lost employers or faced higher than normal unemployment because of higher minimum wages. Small businesses in California, for example, haven't gone broke because of the high state minimum wage. The argument that small businesses can't afford to pay the minimum wage is fallacy. Organizations making that argument are probably paying a lot more than \$7.25 an hour to their snake oil salesmen.

Some argue that increasing the minimum wage is paramount to the government engaging in class warfare. One of the richest men in the world, Warren Buffet, doesn't see it that way. "There's class warfare, all right," Mr. Buffett said, "but it's my class, the rich class, that's making war, and we're winning." Failure to pass a minimum wage increase would be a huge victory in the class warfare by the wealthy against hard working Americans.

Since 1997, Members of Congress have increased our salaries by 24 percent. We can't look our hard working constituents in the eye and honestly say we deserve big pay raises and they don't. Today we can give a raise to someone other than ourselves for a change and have a positive impact on millions of working poor in this country. I strongly urge all my colleagues to vote yes on H.R. 2.

Mr. Speaker, I'd also ask that the following article from the January 10 edition of the Washington Post be printed in the RECORD.

MINIMUM WAGE, MAXIMUM MYTH

(By Steven Pearlstein)

With Wall Street hot shots and corporate chiefs raking in obscene amounts of money, and with pay in the bottom half of the workforce barely keeping up with inflation, you'd think raising the minimum wage for the first time in a decade would be a political and economic no-brainer for the new Democratic Congress.

But you'd be forgetting about Max Baucus. Baucus is a Democratic senator from the Republican-leaning state of Montana, which means he is on the political equivalent of the endangered-species list. So you can understand Baucus's need to vote with his constituents on things like sugar subsidies and gun control and grazing fees on public lands.

But while Baucus is surely entitled to his opinions, and entitled to do what is necessary to assure his own political survival, he is not entitled to be chairman of the Senate Finance Committee, which handles such key Democratic issues as health care, trade and tax policy. That position ought to be reserved for a statesman with enough political confidence and backbone that he isn't constantly sacrificing the interests of his party and his country to the narrow interests of his subsidy-addicted constituents.

You'd think Baucus would have learned his lesson in 2001, when he won the enmity of Democrats everywhere by striking the deal that led to passage of the Bush tax cuts, including the phase-out of the estate tax. Apparently not. For on the very day the new Democratic House is set to push through a long-overdue minimum-wage increase, over in the Senate, Baucus has called a hearing on how to offset the "economic hardship" caused by the higher minimum wage with yet another round of business tax breaks.

Consider, for a moment, the economic logic that lies behind Baucus's hearing this morning, when senators will hear from a panel of witnesses that includes Dave Ratner, owner of Dave's Soda & Pet City in Agawam, Mass.

No doubt Ratner and the others will point out that workers making at or near the federal minimum wage are nearly all employed by small businesses. We will hear all the sob stories about how struggling small businesses with thin margins will be forced to cut back on hiring, pull back on expansion plans and, in some instances, close their doors. Moreover, this won't be a tragedy just for small-business owners and employees but for the economy as a whole, since everybody knows that small business creates virtually all new jobs. Only another round of tax breaks can keep the great American jobs machine humming.

And here's the thing: Most of it is nonsense.

To begin, both economic theory and history suggest that small business will, in time, pass on its increased costs to its consumers. Small businesses that pay low wages tend to compete with other small businesses that pay low wages, so they will all face the same cost pressures and respond in similar fashion. The worst that can be said is that a higher minimum wage will add, very modestly, to overall inflation.

There is also general agreement among economists that a higher minimum wage, at the levels we are talking about, will have a minimal impact on adult employment. Slightly higher prices might reduce, slightly, the demand for Wendy's hamburgers, cheap hotel rooms and dog-walking services. But largely offsetting those effects will be the increased demand for goods and services by tens of millions of Americans who will finally be getting a raise. A higher minimum wage doesn't lower economic activity so much as rearrange it slightly.

The biggest lie of all is that small businesses have created most of the new jobs in America. This canard, perpetrated by the small-business lobby and embraced by politicians of both parties, has been used for decades to justify all manner of special subsidies for small business. But as economist Veronique de Rugy of the American Enterprise Institute reported in a paper last year, new jobs have been created by both large and small businesses in roughly the same proportion.

In truth, the bulk of new jobs have always been created by a relatively small number of new firms that grow fast and get quite big—think of companies like Southwest Airlines, Google, CarMax. Most have little in common with the small-business lobby in Washington or fast-food restaurant chains or the members of the Kiwanis Club in Helena, Mont. As a rule, companies like these couldn't care less about the minimum wage or special tax breaks to offset it.

Linking the minimum wage to small-business tax breaks is specious for other reasons, as well.

During the last decade, when inflation-adjusted pay of minimum-wage workers was declining, tax rates for small businesses were also declining, thanks largely to the Bush cuts. If it is now imperative to reduce business taxes when the pay of minimum-wage workers is rising, you have to wonder if there will ever be a time when the small-business lobby thinks it doesn't deserve a tax cut.

It's also worth noting that, according to the Internal Revenue Service, small-business owners, sole proprietors and the self-employed are, as a group, the biggest tax cheats in America, responsible for \$153 billion of the estimated \$345 billion tax gap in 2001. What these folks deserve are more frequent visits from IRS auditors, not more tax breaks.

Real Democrats know that raising the minimum wage is the right thing to do—economically, politically, morally. The question is why they have chosen a Senate Finance chairman who can't articulate that position without equivocation or apology even before the first vote is cast.

Ms. EDDIE-BERNICE JOHNSON of Texas. Mr. Speaker, I rise today alongside my colleagues from the Women's Caucus to support this increase to the federal minimum wage.

Nearly two-thirds of all minimum wage workers are women.

And it's women that represent the majority of working poor in this country.

The working poor are Americans who work 40 hours or more a week, but can't afford basic necessities.

Each day, the working poor are faced with the decision of having to choose between: food, clothing, shelter, medicine, and utility bills.

No American who works hard for a living should have to make these types of choices.

Mr. Speaker, more than 9 million women will benefit from this proposed increase to the minimum wage.

These aren't just teenagers working part-time either.

Most of these workers are actually hard-working disadvantaged adults. Four million are parents.

This isn't simply an economic issue, it's an ethical and moral issue.

We cannot continue to look away while hard working Americans linger in poverty.

I urge my colleagues to support these hard-working women and men by raising the federal minimum wage.

Mr. ROSS. Mr. Speaker, I rise today to share my strong support for raising the federal minimum wage. Today's legislation would increase the existing minimum wage from \$5.15 to \$7.25 an hour over two years.

The minimum wage has not increased in more than nine years which is the longest period in the history of the law. The real value of the minimum wage has plummeted to its lowest level in 51 years.

At the current rate of \$5.15 an hour, a full-time minimum wage worker brings home \$10,712 a year—nearly \$6,000 below the poverty level for a family of three. Increasing the minimum wage to \$7.25 per hour would benefit up to 13 million Americans who struggle to raise a family.

Last year the state of Arkansas, along with varying other states, realized the need for raising the minimum wage and did so. Now it is time for the Congress to accept this plan and move forward with passage of this important legislation, which can make a real difference in the lives of working families across this country.

Mr. RANGEL. Mr. Speaker, I rise today in support of H.R. 2, an increase in the minimum wage. It has now been a decade (i.e., 1996) since the minimum wage was last adjusted for inflation. The issue absorbed a considerable amount of attention during the 109th Congress—but no new legislation was adopted. Over 25 states (including the District of Columbia) have adopted a minimum wage in excess of the federal rate.

The current Federal minimum wage rate leaves full-time workers in poverty. Thirty-seven million Americans live in poverty today—an increase of 5.4 million since 2001. Many of these individuals are full-time, full-year hard working Americans who are unable to lift themselves out of poverty because of the declining value of the federal minimum wage. Minimum wage earners working 40 hours per week, 52 weeks per year make \$10,712—nearly \$6,000 below the poverty line for a family of three.

Today, the value of minimum wage as a percentage of poverty has fallen to its lowest level on record—going way back to 1959. Earnings for full-year, full-time minimum wage work now equal less than 70 percent of the poverty level for a family of three.

Increasing the federal minimum wage would also raise the wages of low-income working families in general, not just those who fall below the official poverty line. Many families move in and out of poverty, and near-poor families are also important beneficiaries of minimum wage increases. In addition, raising the minimum wage will have a positive effect on lives of women and other minorities in this country.

Over one-half of workers paid less than \$7.25 an hour lived in families with incomes of \$40,000 or less. According to CRS estimates of low-wage workers in families with incomes of \$40,000 or less were spouses in married-couple families (with or without children). Some 13.4 percent were single parents. Another 11.9 percent were teenagers. Hourly workers who earned less than \$7.25 an hour in 2005 were more likely to live in poor families compared to workers paid at least \$7.25 an hour (18.1 percent versus 6.0 percent).

Women were overrepresented among low-wage workers in 2005: almost 7 million of the more than 11 million hourly workers who

earned under \$7.25 an hour were women (60.1 percent); in contrast, women accounted for a smaller share of all hourly workers (50.2%). Further, Hispanic women were two times as likely as Hispanic men to earn \$5.15 per hour or less.

It also appears that relatively more working women than men might gain from a higher federal minimum wage. An increase in the minimum wage would greatly benefit about 33 percent of African-American or Hispanic women.

Over the last five years, the number of African Americans living in poverty has grown by 1.5 million, and the real median household income of African American families is down \$2,676. Increasing the minimum wage to \$7.25 an hour would affect more than 2.1 million hardworking African Americans in the minimum wage.

Over the last five years, the number of Hispanic Americans living in poverty has grown by more than 1.6 million and the real median household income of Hispanic American families is down \$1,631. Over 2.3 million out of 12.5 million Hispanics employed on an hourly basis—or almost one in five earned less than \$7.25 an hour in 2005. Hispanics comprised the largest share of workers paid below \$7.25 an hour than they did of all hourly workers in 2005. Raising the minimum wage to \$7.25 an hour would have a positive effect on the lives of more than 2.3 million hardworking Hispanic Americans.

Over the last five years, the number of Asian American/Pacific Islanders living in poverty has grown by 243,000 and the real median household income of Asian American/Pacific Islander families is down \$2,157. Lifting the minimum wage to \$7.25 an hour would have a positive effect on the lives of an estimated 280,000 hardworking Asian American workers.

Over one-half of hourly workers paid below the proposed federal minimum wage were between 16 and 24 years old. A substantial percentage of young workers might be affected directly if the minimum wage increases. Nearly three out of five teenagers paid an hourly wage might see their earnings increase if the federal standard goes to \$7.25 per hour.

We must do more to support families living in poverty and those who are vulnerable to falling into poverty. Increasing the wages is an important step toward reducing the high levels of poverty in this nation.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in strong support of H.R. 2, legislation that will fulfill our promise to America's working families by providing a long awaited increase in the federal minimum wage.

Passage of this bill today will increase the minimum wage for the first time in nearly a decade, from \$5.15 to \$7.25 per hour over 2 years. Inflation and increased demands on the wallets of American families have steadily chipped away at the purchasing power of our Nation's minimum wage earners, and the failure of the previous Congress to take action has left the federal minimum wage at its lowest value in more than half a century.

This legislation is critical at a time when America's families have seen their real income drop by almost \$1,300 since 2000, while the costs of health insurance, gasoline, home heating, and attending college have increased by almost \$5,000 annually. At the current level, a full-time minimum wage worker will

make only \$10,712 a year, nearly \$6,000 below the poverty level for a family of three. While some States, such as Connecticut, have already taken action to raise their minimum wage, many more States still fall short of providing our hardest working Americans with the income they need to make ends meet.

In a Nation of abundant wealth and prosperity, we simply cannot be indifferent to the challenges faced by those struggling to make ends meet. This vote today sends the clear message that this Congress will be committed to America's working families. Passage of H.R. 2 is a critical step towards ensuring that every American is able to earn a real living wage.

Ms. BORDALLO. Mr. Speaker, I rise today in support of H.R. 2, the Fair Minimum Wage Act of 2007, which proposes to increase the national minimum wage by a modest, but significant \$2.10 over the course of roughly 2 years. I urge my colleagues to vote in favor of this legislation for three basic and important reasons.

First, an increase in the national minimum wage will help bring a sense of dignity in the lives of the lowest wage earners and their families in our country. American workers deserve to earn fair, decent, and livable wages for their hard and honest labor. They deserve to earn wages that enable them to cope with the costs of the basic necessities in life. National labor statistics reveal that income levels for millions of American workers and their families across every State and territory in the country have not kept pace with rising costs of home ownership, food, health insurance, gasoline, home heating, and college tuition. Setting a national minimum wage that reflects this reality and that will give families an income from which they can afford the basic necessities in life is a national priority that this Congress will act on today. The current national minimum wage of \$5.15 does not measure up to the principle of ensuring hardworking Americans receive a livable wage.

Second, an increase in the national minimum wage is overdue. The last increase was over 9 years ago in September 1997. The time that has passed since this last increase represents the longest period in American history in which the national minimum wage has remained stagnant. Passage of this legislation today would be timely in the fact that it would set forth incremental increases over a 26-month period to raise the national minimum wage from \$5.15 to \$7.25.

Last, raising the national minimum wage not only enjoys broad, bipartisan support in Congress, but also enjoys support from among average Americans. A majority of voters in six States agreed to measures on their ballots in November 2006 that raised the minimum wage in their State, for instance. Also, workers in 28 States and the District of Columbia earn a minimum wage that is above the current minimum wage provided for by Federal law. An effort to raising the minimum wage earned by American workers, moreover, is supported by many labor, religious, and civil rights organizations from across the country. Support for increasing the national minimum wage can also be found in my community on Guam. A resolution was introduced in the 29th Guam Legislature this week, which carries the support of all Democratic members of the Guam Legislature, in support of this legislation.

I am especially encouraged by the fact that the legislation we are considering on the floor

today, H.R. 2, does not preempt Guam law for tipped employees as minimum wage increase legislation that was considered on this floor in the last Congress proposed. Current Guam law requires employers to pay their employees the local minimum wage and, on top of that, to allow them to keep the tips they receive from customers. Deferring to local Guam law that sets a standard minimum wage on our island and that applies to all wage earners, whether or not they are working in a traditionally tipped field, is important to our workforce and especially important to the employees of our visitor industry.

On July 18, 2006, local legislation was enacted on Guam to increase the minimum wage from \$5.15 per hour to \$5.75 per hour by July 1, 2007. The legislation on the floor today would effectively raise this minimum wage by another 10 cents within 60 days after its enactment. Over 1,600 workers would receive an immediate and direct boost in their wages as a result of this increase according to local wage statistics compiled by the Guam Department of Labor. Passage of this legislation will allow our island's workforce, especially those earning the minimum wage, to better meet their families' needs.

One's work is something of which one should be proud. It is also something for which one should be fairly compensated. The effort to raise the federal minimum wage requirement is a strong signal of our support and recognition of those workers who earn the minimum wage and the contributions their work has for our society. Congress is overdue in fulfilling this responsibility to America's workers. I encourage continued bipartisan support for this effort to improve the economic prospects of and livelihoods for America's workforce.

I also encourage continued review and consultation with local government on one particular aspect of this legislation as it is considered in the remaining steps of the legislative process. I note that the legislation on the floor today proposes to apply the national minimum wage, for the first time in its history, to the Commonwealth of the Northern Mariana Islands (CNMI), which neighbors Guam. This is a significant proposal that should be carefully evaluated, especially in terms of its implementation and consequences for the economy in the CNMI and the economy on Guam. The bill proposes to increase the current minimum wage in the CNMI from \$3.05 to \$7.25 through eight individual incremental increases of fifty cents made over the course of four years.

The economy in the CNMI is interlinked with the economy on Guam. There will be unique challenges associated with implementing the ambitious schedule of increases to the minimum wage in the CNMI. A possible rise in unemployment and subsequent possible enrollment increases for social services and corresponding budgetary impacts for the Government of the CNMI and the Government of Guam as a result of a federally mandated, aggressive rise in the minimum wage in the CNMI are of concern to me and to local officials. I share in the belief that the workers in the CNMI deserve a fair wage. I, however, also believe that more coordination with local officials in the CNMI on specific provision should be undertaken.

The Resident Representative of CNMI, the Honorable Pedro A. Tenorio, and other locally

elected officials of the CNMI have asked Congress to consider other options that may include a more realistic schedule of increments or a federal wage review board to determine the timing and levels of incremental increases to the minimum wage in the CNMI. These proposals are designed to take into account the consequences for the economy of the CNMI of increasing the minimum wage. It is important to consider the economic stability that is needed to support jobs and job growth overall in the territory. I support alternatives that would help to mitigate the adverse impact that may occur with the implementation of the federal minimum wage in the CNMI and I hope that this issue could be reviewed in conference on this legislation.

I take this opportunity to note the continued absence of representation in this body for the American citizens of the CNMI, and to call attention to the need for such representation. Legislation to grant the people of the CNMI a representative in this House has been introduced in this body in each of the last six Congresses.

The House considers difficult issues regarding the CNMI, such as presented in the legislation before us today. This is precisely an example of why both this House and the people of the CNMI would benefit greatly from having a representative from the CNMI seated in this body. There are many issues with regard to the CNMI that deserve to be addressed by this Congress, and that inevitably will be taken up in the weeks and months ahead in committee and on the floor of this body. These issues and the need to address them, when taken together, point to the need for a Delegate in Congress from the CNMI to represent the people of the CNMI during these important deliberations.

I strongly believe that Congress should provide the CNMI a seat in this body. Representation should not be contingent upon good behavior by former or current elected officials. Representation also should not be contingent upon the specific policy positions held by former or current elected officials. Rather, representation for Americans in this House has, and should remain, based upon the traditions of American democracy and fairness. Representation in American democracy is an inalienable right for American citizens and not one that is contingent upon a litmus test. Unfortunately, today, this House will vote on this legislation without the people of the CNMI having been afforded the democratic right of representation in this body to represent them and their views.

Inevitably, the challenges associated with these difficult issues and that relate to the applicability of federal law to the CNMI will never be overcome in a fair and equitable manner until such time as the Congress affords the people of the CNMI a voice in the legislative process. I urge this House to adopt H.R. 2, to continue to examine carefully in the legislative process its consequences for the economies of the CNMI and Guam, and to move in the near future to adopt legislation that would allow for a Delegate from the CNMI to be seated in this body.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to section 508 of House Resolution 6, the bill is considered read and the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. MCKEON

Mr. McKEON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. McKEON. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. McKeon moves to recommit the bill (H.R. 2) to the Committee on Education and Labor with instructions to report the bill back to the House forthwith with the following amendments:

Strike section 1 and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Working Families Wage and Access to Health Care Act”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—MINIMUM WAGE

Sec. 101. Minimum wage.

Sec. 102. Applicability of minimum wage to the Commonwealth of the Northern Mariana Islands.

TITLE II—ASSOCIATION HEALTH PLANS

Sec. 201. Short title; table of contents.

Sec. 202. Rules governing association health plans.

Sec. 203. Clarification of treatment of single employer arrangements.

Sec. 204. Enforcement provisions relating to association health plans.

Sec. 205. Cooperation between Federal and State authorities.

Sec. 206. Effective date and transitional and other rules.

TITLE III—TAX INCENTIVES FOR SMALL BUSINESS

Sec. 301. Increased expensing for small business.

Sec. 302. Depreciable restaurant property to include new construction.

Sec. 303. Repeal of Federal Unemployment Surtax.

Redesignate sections 2 and 3 as sections 101 and 102, respectively, and insert before such sections the following:

TITLE I—MINIMUM WAGE

At the end of the bill, insert the following:

TITLE II—ASSOCIATION HEALTH PLANS

SEC. 201. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This title may be cited as the “Small Business Health Fairness Act of 2007”.

(b) **TABLE OF CONTENTS.**—The table of contents for this title is as follows:

Sec. 201. Short title; table of contents.

Sec. 202. Rules governing association health plans.

Sec. 203. Clarification of treatment of single employer arrangements.

Sec. 204. Enforcement provisions relating to association health plans.

Sec. 205. Cooperation between Federal and State authorities.

Sec. 206. Effective date and transitional and other rules.

SEC. 202. RULES GOVERNING ASSOCIATION HEALTH PLANS.

(a) **IN GENERAL.**—Subtitle B of title I of the Employee Retirement Income Security Act of 1974 is amended by adding after part 7 the following new part:

“PART 8—RULES GOVERNING ASSOCIATION HEALTH PLANS

“SEC. 801. ASSOCIATION HEALTH PLANS.

“(a) **IN GENERAL.**—For purposes of this part, the term ‘association health plan’ means a group health plan whose sponsor is (or is deemed under this part to be) described in subsection (b).

“(b) **SPONSORSHIP.**—The sponsor of a group health plan is described in this subsection if such sponsor—

“(1) is organized and maintained in good faith, with a constitution and bylaws specifically stating its purpose and providing for periodic meetings on at least an annual basis, as a bona fide trade association, a bona fide industry association (including a rural electric cooperative association or a rural telephone cooperative association), a bona fide professional association, or a bona fide chamber of commerce (or similar bona fide business association, including a corporation or similar organization that operates on a cooperative basis (within the meaning of section 1381 of the Internal Revenue Code of 1986)), for substantial purposes other than that of obtaining or providing medical care;

“(2) is established as a permanent entity which receives the active support of its members and requires for membership payment on a periodic basis of dues or payments necessary to maintain eligibility for membership in the sponsor; and

“(3) does not condition membership, such dues or payments, or coverage under the plan on the basis of health status-related factors with respect to the employees of its members (or affiliated members), or the dependents of such employees, and does not condition such dues or payments on the basis of group health plan participation.

Any sponsor consisting of an association of entities which meet the requirements of paragraphs (1), (2), and (3) shall be deemed to be a sponsor described in this subsection.

“SEC. 802. CERTIFICATION OF ASSOCIATION HEALTH PLANS.

“(a) **IN GENERAL.**—The applicable authority shall prescribe by regulation a procedure under which, subject to subsection (b), the applicable authority shall certify association health plans which apply for certification as meeting the requirements of this part.

“(b) **STANDARDS.**—Under the procedure prescribed pursuant to subsection (a), in the case of an association health plan that provides at least one benefit option which does not consist of health insurance coverage, the applicable authority shall certify such plan as meeting the requirements of this part only if the applicable authority is satisfied that the applicable requirements of this part are met (or, upon the date on which the plan is to commence operations, will be met) with respect to the plan.

“(c) **REQUIREMENTS APPLICABLE TO CERTIFIED PLANS.**—An association health plan with respect to which certification under this part is in effect shall meet the applicable requirements of this part, effective on the date of certification (or, if later, on the date on which the plan is to commence operations).

“(d) **REQUIREMENTS FOR CONTINUED CERTIFICATION.**—The applicable authority may provide by regulation for continued certification of association health plans under this part.

“(e) **CLASS CERTIFICATION FOR FULLY INSURED PLANS.**—The applicable authority shall establish a class certification procedure for association health plans under which all benefits consist of health insurance coverage. Under such procedure, the applicable authority shall provide for the granting of certification under this part to the plans

in each class of such association health plans upon appropriate filing under such procedure in connection with plans in such class and payment of the prescribed fee under section 807(a).

“(f) CERTIFICATION OF SELF-INSURED ASSOCIATION HEALTH PLANS.—An association health plan which offers one or more benefit options which do not consist of health insurance coverage may be certified under this part only if such plan consists of any of the following:

“(1) a plan which offered such coverage on the date of the enactment of the Small Business Health Fairness Act of 2007,

“(2) a plan under which the sponsor does not restrict membership to one or more trades and businesses or industries and whose eligible participating employers represent a broad cross-section of trades and businesses or industries, or

“(3) a plan whose eligible participating employers represent one or more trades or businesses, or one or more industries, consisting of any of the following: agriculture; equipment and automobile dealerships; barbering and cosmetology; certified public accounting practices; child care; construction; dance, theatrical and orchestra productions; disinfecting and pest control; financial services; fishing; food service establishments; hospitals; labor organizations; logging; manufacturing (metals); mining; medical and dental practices; medical laboratories; professional consulting services; sanitary services; transportation (local and freight); warehousing; wholesaling/distributing; or any other trade or business or industry which has been indicated as having average or above-average risk or health claims experience by reason of State rate filings, denials of coverage, proposed premium rate levels, or other means demonstrated by such plan in accordance with regulations.

“SEC. 803. REQUIREMENTS RELATING TO SPONSORS AND BOARDS OF TRUSTEES.

“(a) SPONSOR.—The requirements of this subsection are met with respect to an association health plan if the sponsor has met (or is deemed under this part to have met) the requirements of section 801(b) for a continuous period of not less than 3 years ending with the date of the application for certification under this part.

“(b) BOARD OF TRUSTEES.—The requirements of this subsection are met with respect to an association health plan if the following requirements are met:

“(1) FISCAL CONTROL.—The plan is operated, pursuant to a trust agreement, by a board of trustees which has complete fiscal control over the plan and which is responsible for all operations of the plan.

“(2) RULES OF OPERATION AND FINANCIAL CONTROLS.—The board of trustees has in effect rules of operation and financial controls, based on a 3-year plan of operation, adequate to carry out the terms of the plan and to meet all requirements of this title applicable to the plan.

“(3) RULES GOVERNING RELATIONSHIP TO PARTICIPATING EMPLOYERS AND TO CONTRACTORS.—

“(A) BOARD MEMBERSHIP.—

“(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), the members of the board of trustees are individuals selected from individuals who are the owners, officers, directors, or employees of the participating employers or who are partners in the participating employers and actively participate in the business.

“(ii) LIMITATION.—

“(I) GENERAL RULE.—Except as provided in subclauses (II) and (III), no such member is an owner, officer, director, or employee of, or partner in, a contract administrator or other service provider to the plan.

“(II) LIMITED EXCEPTION FOR PROVIDERS OF SERVICES SOLELY ON BEHALF OF THE SPONSOR.—Officers or employees of a sponsor which is a service provider (other than a contract administrator) to the plan may be members of the board if they constitute not more than 25 percent of the membership of the board and they do not provide services to the plan other than on behalf of the sponsor.

“(III) TREATMENT OF PROVIDERS OF MEDICAL CARE.—In the case of a sponsor which is an association whose membership consists primarily of providers of medical care, subclause (I) shall not apply in the case of any service provider described in subclause (I) who is a provider of medical care under the plan.

“(iii) CERTAIN PLANS EXCLUDED.—Clause (i) shall not apply to an association health plan which is in existence on the date of the enactment of the Small Business Health Fairness Act of 2007.

“(B) SOLE AUTHORITY.—The board has sole authority under the plan to approve applications for participation in the plan and to contract with a service provider to administer the day-to-day affairs of the plan.

“(c) TREATMENT OF FRANCHISE NETWORKS.—In the case of a group health plan which is established and maintained by a franchiser for a franchise network consisting of its franchisees—

“(1) the requirements of subsection (a) and section 801(a) shall be deemed met if such requirements would otherwise be met if the franchiser were deemed to be the sponsor referred to in section 801(b), such network were deemed to be an association described in section 801(b), and each franchisee were deemed to be a member (of the association and the sponsor) referred to in section 801(b); and

“(2) the requirements of section 804(a)(1) shall be deemed met.

The Secretary may by regulation define for purposes of this subsection the terms ‘franchiser’, ‘franchise network’, and ‘franchisee’.

“SEC. 804. PARTICIPATION AND COVERAGE REQUIREMENTS.

“(a) COVERED EMPLOYERS AND INDIVIDUALS.—The requirements of this subsection are met with respect to an association health plan if, under the terms of the plan—

“(1) each participating employer must be—

“(A) a member of the sponsor,

“(B) the sponsor, or

“(C) an affiliated member of the sponsor with respect to which the requirements of subsection (b) are met,

except that, in the case of a sponsor which is a professional association or other individual-based association, if at least one of the officers, directors, or employees of an employer, or at least one of the individuals who are partners in an employer and who actively participates in the business, is a member or such an affiliated member of the sponsor, participating employers may also include such employer; and

“(2) all individuals commencing coverage under the plan after certification under this part must be—

“(A) active or retired owners (including self-employed individuals), officers, directors, or employees of, or partners in, participating employers; or

“(B) the beneficiaries of individuals described in subparagraph (A).

“(b) COVERAGE OF PREVIOUSLY UNINSURED EMPLOYEES.—In the case of an association health plan in existence on the date of the enactment of the Small Business Health Fairness Act of 2007, an affiliated member of the sponsor of the plan may be offered coverage under the plan as a participating employer only if—

“(1) the affiliated member was an affiliated member on the date of certification under this part; or

“(2) during the 12-month period preceding the date of the offering of such coverage, the affiliated member has not maintained or contributed to a group health plan with respect to any of its employees who would otherwise be eligible to participate in such association health plan.

“(c) INDIVIDUAL MARKET UNAFFECTED.—The requirements of this subsection are met with respect to an association health plan if, under the terms of the plan, no participating employer may provide health insurance coverage in the individual market for any employee not covered under the plan which is similar to the coverage contemporaneously provided to employees of the employer under the plan, if such exclusion of the employee from coverage under the plan is based on a health status-related factor with respect to the employee and such employee would, but for such exclusion on such basis, be eligible for coverage under the plan.

“(d) PROHIBITION OF DISCRIMINATION AGAINST EMPLOYERS AND EMPLOYEES ELIGIBLE TO PARTICIPATE.—The requirements of this subsection are met with respect to an association health plan if—

“(1) under the terms of the plan, all employers meeting the preceding requirements of this section are eligible to qualify as participating employers for all geographically available coverage options, unless, in the case of any such employer, participation or contribution requirements of the type referred to in section 2711 of the Public Health Service Act are not met;

“(2) upon request, any employer eligible to participate is furnished information regarding all coverage options available under the plan; and

“(3) the applicable requirements of sections 701, 702, and 703 are met with respect to the plan.

“SEC. 805. OTHER REQUIREMENTS RELATING TO PLAN DOCUMENTS, CONTRIBUTION RATES, AND BENEFIT OPTIONS.

“(a) IN GENERAL.—The requirements of this section are met with respect to an association health plan if the following requirements are met:

“(1) CONTENTS OF GOVERNING INSTRUMENTS.—The instruments governing the plan include a written instrument, meeting the requirements of an instrument required under section 402(a)(1), which—

“(A) provides that the board of trustees serves as the named fiduciary required for plans under section 402(a)(1) and serves in the capacity of a plan administrator (referred to in section 3(16)(A));

“(B) provides that the sponsor of the plan is to serve as plan sponsor (referred to in section 3(16)(B)); and

“(C) incorporates the requirements of section 806.

“(2) CONTRIBUTION RATES MUST BE NON-DISCRIMINATORY.—

“(A) The contribution rates for any participating small employer do not vary on the basis of any health status-related factor in relation to employees of such employer or their beneficiaries and do not vary on the basis of the type of business or industry in which such employer is engaged.

“(B) Nothing in this title or any other provision of law shall be construed to preclude an association health plan, or a health insurance issuer offering health insurance coverage in connection with an association health plan, from—

“(i) setting contribution rates based on the claims experience of the plan; or

“(ii) varying contribution rates for small employers in a State to the extent that such rates could vary using the same methodology employed in such State for regulating premium rates in the small group market

with respect to health insurance coverage offered in connection with bona fide associations (within the meaning of section 2791(d)(3) of the Public Health Service Act), subject to the requirements of section 702(b) relating to contribution rates.

“(3) FLOOR FOR NUMBER OF COVERED INDIVIDUALS WITH RESPECT TO CERTAIN PLANS.—If any benefit option under the plan does not consist of health insurance coverage, the plan has as of the beginning of the plan year not fewer than 1,000 participants and beneficiaries.

“(4) MARKETING REQUIREMENTS.—

“(A) IN GENERAL.—If a benefit option which consists of health insurance coverage is offered under the plan, State-licensed insurance agents shall be used to distribute to small employers coverage which does not consist of health insurance coverage in a manner comparable to the manner in which such agents are used to distribute health insurance coverage.

“(B) STATE-LICENSED INSURANCE AGENTS.—For purposes of subparagraph (A), the term ‘State-licensed insurance agents’ means one or more agents who are licensed in a State and are subject to the laws of such State relating to licensure, qualification, testing, examination, and continuing education of persons authorized to offer, sell, or solicit health insurance coverage in such State.

“(5) REGULATORY REQUIREMENTS.—Such other requirements as the applicable authority determines are necessary to carry out the purposes of this part, which shall be prescribed by the applicable authority by regulation.

“(b) ABILITY OF ASSOCIATION HEALTH PLANS TO DESIGN BENEFIT OPTIONS.—Subject to section 514(d), nothing in this part or any provision of State law (as defined in section 514(c)(1)) shall be construed to preclude an association health plan, or a health insurance issuer offering health insurance coverage in connection with an association health plan, from exercising its sole discretion in selecting the specific items and services consisting of medical care to be included as benefits under such plan or coverage, except (subject to section 514) in the case of (1) any law to the extent that it is not preempted under section 731(a)(1) with respect to matters governed by section 711, 712, or 713, or (2) any law of the State with which filing and approval of a policy type offered by the plan was initially obtained to the extent that such law prohibits an exclusion of a specific disease from such coverage.

“SEC. 806. MAINTENANCE OF RESERVES AND PROVISIONS FOR SOLVENCY FOR PLANS PROVIDING HEALTH BENEFITS IN ADDITION TO HEALTH INSURANCE COVERAGE.

“(a) IN GENERAL.—The requirements of this section are met with respect to an association health plan if—

“(1) the benefits under the plan consist solely of health insurance coverage; or

“(2) if the plan provides any additional benefit options which do not consist of health insurance coverage, the plan—

“(A) establishes and maintains reserves with respect to such additional benefit options, in amounts recommended by the qualified actuary, consisting of—

“(i) a reserve sufficient for unearned contributions;

“(ii) a reserve sufficient for benefit liabilities which have been incurred, which have not been satisfied, and for which risk of loss has not yet been transferred, and for expected administrative costs with respect to such benefit liabilities;

“(iii) a reserve sufficient for any other obligations of the plan; and

“(iv) a reserve sufficient for a margin of error and other fluctuations, taking into ac-

count the specific circumstances of the plan; and

“(B) establishes and maintains aggregate and specific excess/stop loss insurance and solvency indemnification, with respect to such additional benefit options for which risk of loss has not yet been transferred, as follows:

“(i) The plan shall secure aggregate excess/stop loss insurance for the plan with an attachment point which is not greater than 125 percent of expected gross annual claims. The applicable authority may by regulation provide for upward adjustments in the amount of such percentage in specified circumstances in which the plan specifically provides for and maintains reserves in excess of the amounts required under subparagraph (A).

“(ii) The plan shall secure specific excess/stop loss insurance for the plan with an attachment point which is at least equal to an amount recommended by the plan’s qualified actuary. The applicable authority may by regulation provide for adjustments in the amount of such insurance in specified circumstances in which the plan specifically provides for and maintains reserves in excess of the amounts required under subparagraph (A).

“(iii) The plan shall secure indemnification insurance for any claims which the plan is unable to satisfy by reason of a plan termination.

Any person issuing to a plan insurance described in clause (i), (ii), or (iii) of subparagraph (B) shall notify the Secretary of any failure of premium payment meriting cancellation of the policy prior to undertaking such a cancellation. Any regulations prescribed by the applicable authority pursuant to clause (i) or (ii) of subparagraph (B) may allow for such adjustments in the required levels of excess/stop loss insurance as the qualified actuary may recommend, taking into account the specific circumstances of the plan.

“(b) MINIMUM SURPLUS IN ADDITION TO CLAIMS RESERVES.—In the case of any association health plan described in subsection (a)(2), the requirements of this subsection are met if the plan establishes and maintains surplus in an amount at least equal to—

“(1) \$500,000, or

“(2) such greater amount (but not greater than \$2,000,000) as may be set forth in regulations prescribed by the applicable authority, considering the level of aggregate and specific excess/stop loss insurance provided with respect to such plan and other factors related to solvency risk, such as the plan’s projected levels of participation or claims, the nature of the plan’s liabilities, and the types of assets available to assure that such liabilities are met.

“(c) ADDITIONAL REQUIREMENTS.—In the case of any association health plan described in subsection (a)(2), the applicable authority may provide such additional requirements relating to reserves, excess/stop loss insurance, and indemnification insurance as the applicable authority considers appropriate. Such requirements may be provided by regulation with respect to any such plan or any class of such plans.

“(d) ADJUSTMENTS FOR EXCESS/STOP LOSS INSURANCE.—The applicable authority may provide for adjustments to the levels of reserves otherwise required under subsections (a) and (b) with respect to any plan or class of plans to take into account excess/stop loss insurance provided with respect to such plan or plans.

“(e) ALTERNATIVE MEANS OF COMPLIANCE.—The applicable authority may permit an association health plan described in subsection (a)(2) to substitute, for all or part of the requirements of this section (except subsection

(a)(2)(B)(iii)), such security, guarantee, hold-harmless arrangement, or other financial arrangement as the applicable authority determines to be adequate to enable the plan to fully meet all its financial obligations on a timely basis and is otherwise no less protective of the interests of participants and beneficiaries than the requirements for which it is substituted. The applicable authority may take into account, for purposes of this subsection, evidence provided by the plan or sponsor which demonstrates an assumption of liability with respect to the plan. Such evidence may be in the form of a contract of indemnification, lien, bonding, insurance, letter of credit, recourse under applicable terms of the plan in the form of assessments of participating employers, security, or other financial arrangement.

“(f) MEASURES TO ENSURE CONTINUED PAYMENT OF BENEFITS BY CERTAIN PLANS IN DISTRESS.—

“(1) PAYMENTS BY CERTAIN PLANS TO ASSOCIATION HEALTH PLAN FUND.—

“(A) IN GENERAL.—In the case of an association health plan described in subsection (a)(2), the requirements of this subsection are met if the plan makes payments into the Association Health Plan Fund under this subparagraph when they are due. Such payments shall consist of annual payments in the amount of \$5,000, and, in addition to such annual payments, such supplemental payments as the Secretary may determine to be necessary under paragraph (2). Payments under this paragraph are payable to the Fund at the time determined by the Secretary. Initial payments are due in advance of certification under this part. Payments shall continue to accrue until a plan’s assets are distributed pursuant to a termination procedure.

“(B) PENALTIES FOR FAILURE TO MAKE PAYMENTS.—If any payment is not made by a plan when it is due, a late payment charge of not more than 100 percent of the payment which was not timely paid shall be payable by the plan to the Fund.

“(C) CONTINUED DUTY OF THE SECRETARY.—The Secretary shall not cease to carry out the provisions of paragraph (2) on account of the failure of a plan to pay any payment when due.

“(2) PAYMENTS BY SECRETARY TO CONTINUE EXCESS/STOP LOSS INSURANCE COVERAGE AND INDEMNIFICATION INSURANCE COVERAGE FOR CERTAIN PLANS.—In any case in which the applicable authority determines that there is, or that there is reason to believe that there will be: (A) a failure to take necessary corrective actions under section 809(a) with respect to an association health plan described in subsection (a)(2); or (B) a termination of such a plan under section 809(b) or 810(b)(8) (and, if the applicable authority is not the Secretary, certifies such determination to the Secretary), the Secretary shall determine the amounts necessary to make payments to an insurer (designated by the Secretary) to maintain in force excess/stop loss insurance coverage or indemnification insurance coverage for such plan, if the Secretary determines that there is a reasonable expectation that, without such payments, claims would not be satisfied by reason of termination of such coverage. The Secretary shall, to the extent provided in advance in appropriation Acts, pay such amounts so determined to the insurer designated by the Secretary.

“(3) ASSOCIATION HEALTH PLAN FUND.—

“(A) IN GENERAL.—There is established on the books of the Treasury a fund to be known as the ‘Association Health Plan Fund’. The Fund shall be available for making payments pursuant to paragraph (2). The

Fund shall be credited with payments received pursuant to paragraph (1)(A), penalties received pursuant to paragraph (1)(B); and earnings on investments of amounts of the Fund under subparagraph (B).

“(B) INVESTMENT.—Whenever the Secretary determines that the moneys of the fund are in excess of current needs, the Secretary may request the investment of such amounts as the Secretary determines advisable by the Secretary of the Treasury in obligations issued or guaranteed by the United States.

“(g) EXCESS/STOP LOSS INSURANCE.—For purposes of this section—

“(1) AGGREGATE EXCESS/STOP LOSS INSURANCE.—The term ‘aggregate excess/stop loss insurance’ means, in connection with an association health plan, a contract—

“(A) under which an insurer (meeting such minimum standards as the applicable authority may prescribe by regulation) provides for payment to the plan with respect to aggregate claims under the plan in excess of an amount or amounts specified in such contract;

“(B) which is guaranteed renewable; and

“(C) which allows for payment of premiums by any third party on behalf of the insured plan.

“(2) SPECIFIC EXCESS/STOP LOSS INSURANCE.—The term ‘specific excess/stop loss insurance’ means, in connection with an association health plan, a contract—

“(A) under which an insurer (meeting such minimum standards as the applicable authority may prescribe by regulation) provides for payment to the plan with respect to claims under the plan in connection with a covered individual in excess of an amount or amounts specified in such contract in connection with such covered individual;

“(B) which is guaranteed renewable; and

“(C) which allows for payment of premiums by any third party on behalf of the insured plan.

“(h) INDEMNIFICATION INSURANCE.—For purposes of this section, the term ‘indemnification insurance’ means, in connection with an association health plan, a contract—

“(1) under which an insurer (meeting such minimum standards as the applicable authority may prescribe by regulation) provides for payment to the plan with respect to claims under the plan which the plan is unable to satisfy by reason of a termination pursuant to section 809(b) (relating to mandatory termination);

“(2) which is guaranteed renewable and noncancellable for any reason (except as the applicable authority may prescribe by regulation); and

“(3) which allows for payment of premiums by any third party on behalf of the insured plan.

“(i) RESERVES.—For purposes of this section, the term ‘reserves’ means, in connection with an association health plan, plan assets which meet the fiduciary standards under part 4 and such additional requirements regarding liquidity as the applicable authority may prescribe by regulation.

“(j) SOLVENCY STANDARDS WORKING GROUP.—

“(1) IN GENERAL.—Within 90 days after the date of the enactment of the Small Business Health Fairness Act of 2007, the applicable authority shall establish a Solvency Standards Working Group. In prescribing the initial regulations under this section, the applicable authority shall take into account the recommendations of such Working Group.

“(2) MEMBERSHIP.—The Working Group shall consist of not more than 15 members appointed by the applicable authority. The applicable authority shall include among persons invited to membership on the Working Group at least one of each of the following:

“(A) a representative of the National Association of Insurance Commissioners;

“(B) a representative of the American Academy of Actuaries;

“(C) a representative of the State governments, or their interests;

“(D) a representative of existing self-insured arrangements, or their interests;

“(E) a representative of associations of the type referred to in section 801(b)(1), or their interests; and

“(F) a representative of multiemployer plans that are group health plans, or their interests.

“SEC. 807. REQUIREMENTS FOR APPLICATION AND RELATED REQUIREMENTS.

“(a) FILING FEE.—Under the procedure prescribed pursuant to section 802(a), an association health plan shall pay to the applicable authority at the time of filing an application for certification under this part a filing fee in the amount of \$5,000, which shall be available in the case of the Secretary, to the extent provided in appropriation Acts, for the sole purpose of administering the certification procedures applicable with respect to association health plans.

“(b) INFORMATION TO BE INCLUDED IN APPLICATION FOR CERTIFICATION.—An application for certification under this part meets the requirements of this section only if it includes, in a manner and form which shall be prescribed by the applicable authority by regulation, at least the following information:

“(1) IDENTIFYING INFORMATION.—The names and addresses of—

“(A) the sponsor; and

“(B) the members of the board of trustees of the plan.

“(2) STATES IN WHICH PLAN INTENDS TO DO BUSINESS.—The States in which participants and beneficiaries under the plan are to be located and the number of them expected to be located in each such State.

“(3) BONDING REQUIREMENTS.—Evidence provided by the board of trustees that the bonding requirements of section 412 will be met as of the date of the application or (if later) commencement of operations.

“(4) PLAN DOCUMENTS.—A copy of the documents governing the plan (including any by-laws and trust agreements), the summary plan description, and other material describing the benefits that will be provided to participants and beneficiaries under the plan.

“(5) AGREEMENTS WITH SERVICE PROVIDERS.—A copy of any agreements between the plan and contract administrators and other service providers.

“(6) FUNDING REPORT.—In the case of association health plans providing benefits options in addition to health insurance coverage, a report setting forth information with respect to such additional benefit options determined as of a date within the 120-day period ending with the date of the application, including the following:

“(A) RESERVES.—A statement, certified by the board of trustees of the plan, and a statement of actuarial opinion, signed by a qualified actuary, that all applicable requirements of section 806 are or will be met in accordance with regulations which the applicable authority shall prescribe.

“(B) ADEQUACY OF CONTRIBUTION RATES.—A statement of actuarial opinion, signed by a qualified actuary, which sets forth a description of the extent to which contribution rates are adequate to provide for the payment of all obligations and the maintenance of required reserves under the plan for the 12-month period beginning with such date within such 120-day period, taking into account the expected coverage and experience of the plan. If the contribution rates are not fully adequate, the statement of actuarial opinion shall indicate the extent to which

the rates are inadequate and the changes needed to ensure adequacy.

“(C) CURRENT AND PROJECTED VALUE OF ASSETS AND LIABILITIES.—A statement of actuarial opinion signed by a qualified actuary, which sets forth the current value of the assets and liabilities accumulated under the plan and a projection of the assets, liabilities, income, and expenses of the plan for the 12-month period referred to in subparagraph (B). The income statement shall identify separately the plan’s administrative expenses and claims.

“(D) COSTS OF COVERAGE TO BE CHARGED AND OTHER EXPENSES.—A statement of the costs of coverage to be charged, including an itemization of amounts for administration, reserves, and other expenses associated with the operation of the plan.

“(E) OTHER INFORMATION.—Any other information as may be determined by the applicable authority, by regulation, as necessary to carry out the purposes of this part.

“(c) FILING NOTICE OF CERTIFICATION WITH STATES.—A certification granted under this part to an association health plan shall not be effective unless written notice of such certification is filed with the applicable State authority of each State in which at least 25 percent of the participants and beneficiaries under the plan are located. For purposes of this subsection, an individual shall be considered to be located in the State in which a known address of such individual is located or in which such individual is employed.

“(d) NOTICE OF MATERIAL CHANGES.—In the case of any association health plan certified under this part, descriptions of material changes in any information which was required to be submitted with the application for the certification under this part shall be filed in such form and manner as shall be prescribed by the applicable authority by regulation. The applicable authority may require by regulation prior notice of material changes with respect to specified matters which might serve as the basis for suspension or revocation of the certification.

“(e) REPORTING REQUIREMENTS FOR CERTAIN ASSOCIATION HEALTH PLANS.—An association health plan certified under this part which provides benefit options in addition to health insurance coverage for such plan year shall meet the requirements of section 103 by filing an annual report under such section which shall include information described in subsection (b)(6) with respect to the plan year and, notwithstanding section 104(a)(1)(A), shall be filed with the applicable authority not later than 90 days after the close of the plan year (or on such later date as may be prescribed by the applicable authority). The applicable authority may require by regulation such interim reports as it considers appropriate.

“(f) ENGAGEMENT OF QUALIFIED ACTUARY.—The board of trustees of each association health plan which provides benefits options in addition to health insurance coverage and which is applying for certification under this part or is certified under this part shall engage, on behalf of all participants and beneficiaries, a qualified actuary who shall be responsible for the preparation of the materials comprising information necessary to be submitted by a qualified actuary under this part. The qualified actuary shall utilize such assumptions and techniques as are necessary to enable such actuary to form an opinion as to whether the contents of the matters reported under this part—

“(1) are in the aggregate reasonably related to the experience of the plan and to reasonable expectations; and

“(2) represent such actuary’s best estimate of anticipated experience under the plan.

The opinion by the qualified actuary shall be made with respect to, and shall be made a part of, the annual report.

“SEC. 808. NOTICE REQUIREMENTS FOR VOLUNTARY TERMINATION.

“Except as provided in section 809(b), an association health plan which is or has been certified under this part may terminate (upon or at any time after cessation of accruals in benefit liabilities) only if the board of trustees, not less than 60 days before the proposed termination date—

“(1) provides to the participants and beneficiaries a written notice of intent to terminate stating that such termination is intended and the proposed termination date;

“(2) develops a plan for winding up the affairs of the plan in connection with such termination in a manner which will result in timely payment of all benefits for which the plan is obligated; and

“(3) submits such plan in writing to the applicable authority.

Actions required under this section shall be taken in such form and manner as may be prescribed by the applicable authority by regulation.

“SEC. 809. CORRECTIVE ACTIONS AND MANDATORY TERMINATION.

“(a) ACTIONS TO AVOID DEPLETION OF RESERVES.—An association health plan which is certified under this part and which provides benefits other than health insurance coverage shall continue to meet the requirements of section 806, irrespective of whether such certification continues in effect. The board of trustees of such plan shall determine quarterly whether the requirements of section 806 are met. In any case in which the board determines that there is reason to believe that there is or will be a failure to meet such requirements, or the applicable authority makes such a determination and so notifies the board, the board shall immediately notify the qualified actuary engaged by the plan, and such actuary shall, not later than the end of the next following month, make such recommendations to the board for corrective action as the actuary determines necessary to ensure compliance with section 806. Not later than 30 days after receiving from the actuary recommendations for corrective actions, the board shall notify the applicable authority (in such form and manner as the applicable authority may prescribe by regulation) of such recommendations of the actuary for corrective action, together with a description of the actions (if any) that the board has taken or plans to take in response to such recommendations. The board shall thereafter report to the applicable authority, in such form and frequency as the applicable authority may specify to the board, regarding corrective action taken by the board until the requirements of section 806 are met.

“(b) MANDATORY TERMINATION.—In any case in which—

“(1) the applicable authority has been notified under subsection (a) (or by an issuer of excess/stop loss insurance or indemnity insurance pursuant to section 806(a)) of a failure of an association health plan which is or has been certified under this part and is described in section 806(a)(2) to meet the requirements of section 806 and has not been notified by the board of trustees of the plan that corrective action has restored compliance with such requirements; and

“(2) the applicable authority determines that there is a reasonable expectation that the plan will continue to fail to meet the requirements of section 806,

the board of trustees of the plan shall, at the direction of the applicable authority, terminate the plan and, in the course of the termination, take such actions as the applicable

authority may require, including satisfying any claims referred to in section 806(a)(2)(B)(iii) and recovering for the plan any liability under subsection (a)(2)(B)(iii) or (e) of section 806, as necessary to ensure that the affairs of the plan will be, to the maximum extent possible, wound up in a manner which will result in timely provision of all benefits for which the plan is obligated.

“SEC. 810. TRUSTEESHIP BY THE SECRETARY OF INSOLVENT ASSOCIATION HEALTH PLANS PROVIDING HEALTH BENEFITS IN ADDITION TO HEALTH INSURANCE COVERAGE.

“(a) APPOINTMENT OF SECRETARY AS TRUSTEE FOR INSOLVENT PLANS.—Whenever the Secretary determines that an association health plan which is or has been certified under this part and which is described in section 806(a)(2) will be unable to provide benefits when due or is otherwise in a financially hazardous condition, as shall be defined by the Secretary by regulation, the Secretary shall, upon notice to the plan, apply to the appropriate United States district court for appointment of the Secretary as trustee to administer the plan for the duration of the insolvency. The plan may appear as a party and other interested persons may intervene in the proceedings at the discretion of the court. The court shall appoint such Secretary trustee if the court determines that the trusteeship is necessary to protect the interests of the participants and beneficiaries or providers of medical care or to avoid any unreasonable deterioration of the financial condition of the plan. The trusteeship of such Secretary shall continue until the conditions described in the first sentence of this subsection are remedied or the plan is terminated.

“(b) POWERS AS TRUSTEE.—The Secretary, upon appointment as trustee under subsection (a), shall have the power—

“(1) to do any act authorized by the plan, this title, or other applicable provisions of law to be done by the plan administrator or any trustee of the plan;

“(2) to require the transfer of all (or any part) of the assets and records of the plan to the Secretary as trustee;

“(3) to invest any assets of the plan which the Secretary holds in accordance with the provisions of the plan, regulations prescribed by the Secretary, and applicable provisions of law;

“(4) to require the sponsor, the plan administrator, any participating employer, and any employee organization representing plan participants to furnish any information with respect to the plan which the Secretary as trustee may reasonably need in order to administer the plan;

“(5) to collect for the plan any amounts due the plan and to recover reasonable expenses of the trusteeship;

“(6) to commence, prosecute, or defend on behalf of the plan any suit or proceeding involving the plan;

“(7) to issue, publish, or file such notices, statements, and reports as may be required by the Secretary by regulation or required by any order of the court;

“(8) to terminate the plan (or provide for its termination in accordance with section 809(b)) and liquidate the plan assets, to restore the plan to the responsibility of the sponsor, or to continue the trusteeship;

“(9) to provide for the enrollment of plan participants and beneficiaries under appropriate coverage options; and

“(10) to do such other acts as may be necessary to comply with this title or any order of the court and to protect the interests of plan participants and beneficiaries and providers of medical care.

“(c) NOTICE OF APPOINTMENT.—As soon as practicable after the Secretary's appoint-

ment as trustee, the Secretary shall give notice of such appointment to—

“(1) the sponsor and plan administrator;

“(2) each participant;

“(3) each participating employer; and

“(4) if applicable, each employee organization which, for purposes of collective bargaining, represents plan participants.

“(d) ADDITIONAL DUTIES.—Except to the extent inconsistent with the provisions of this title, or as may be otherwise ordered by the court, the Secretary, upon appointment as trustee under this section, shall be subject to the same duties as those of a trustee under section 704 of title 11, United States Code, and shall have the duties of a fiduciary for purposes of this title.

“(e) OTHER PROCEEDINGS.—An application by the Secretary under this subsection may be filed notwithstanding the pendency in the same or any other court of any bankruptcy, mortgage foreclosure, or equity receivership proceeding, or any proceeding to reorganize, conserve, or liquidate such plan or its property, or any proceeding to enforce a lien against property of the plan.

“(f) JURISDICTION OF COURT.—

“(1) IN GENERAL.—Upon the filing of an application for the appointment as trustee or the issuance of a decree under this section, the court to which the application is made shall have exclusive jurisdiction of the plan involved and its property wherever located with the powers, to the extent consistent with the purposes of this section, of a court of the United States having jurisdiction over cases under chapter 11 of title 11, United States Code. Pending an adjudication under this section such court shall stay, and upon appointment by it of the Secretary as trustee, such court shall continue the stay of, any pending mortgage foreclosure, equity receivership, or other proceeding to reorganize, conserve, or liquidate the plan, the sponsor, or property of such plan or sponsor, and any other suit against any receiver, conservator, or trustee of the plan, the sponsor, or property of the plan or sponsor. Pending such adjudication and upon the appointment by it of the Secretary as trustee, the court may stay any proceeding to enforce a lien against property of the plan or the sponsor or any other suit against the plan or the sponsor.

“(2) VENUE.—An action under this section may be brought in the judicial district where the sponsor or the plan administrator resides or does business or where any asset of the plan is situated. A district court in which such action is brought may issue process with respect to such action in any other judicial district.

“(g) PERSONNEL.—In accordance with regulations which shall be prescribed by the Secretary, the Secretary shall appoint, retain, and compensate accountants, actuaries, and other professional service personnel as may be necessary in connection with the Secretary's service as trustee under this section.

“SEC. 811. STATE ASSESSMENT AUTHORITY.

“(a) IN GENERAL.—Notwithstanding section 514, a State may impose by law a contribution tax on an association health plan described in section 806(a)(2), if the plan commenced operations in such State after the date of the enactment of the Small Business Health Fairness Act of 2007.

“(b) CONTRIBUTION TAX.—For purposes of this section, the term ‘contribution tax’ imposed by a State on an association health plan means any tax imposed by such State if—

“(1) such tax is computed by applying a rate to the amount of premiums or contributions, with respect to individuals covered under the plan who are residents of such State, which are received by the plan from participating employers located in such State or from such individuals;

“(2) the rate of such tax does not exceed the rate of any tax imposed by such State on premiums or contributions received by insurers or health maintenance organizations for health insurance coverage offered in such State in connection with a group health plan;

“(3) such tax is otherwise nondiscriminatory; and

“(4) the amount of any such tax assessed on the plan is reduced by the amount of any tax or assessment otherwise imposed by the State on premiums, contributions, or both received by insurers or health maintenance organizations for health insurance coverage, aggregate excess/stop loss insurance (as defined in section 806(g)(1)), specific excess/stop loss insurance (as defined in section 806(g)(2)), other insurance related to the provision of medical care under the plan, or any combination thereof provided by such insurers or health maintenance organizations in such State in connection with such plan.

“SEC. 812. DEFINITIONS AND RULES OF CONSTRUCTION.

“(a) **DEFINITIONS.**—For purposes of this part—

“(1) **GROUP HEALTH PLAN.**—The term ‘group health plan’ has the meaning provided in section 733(a)(1) (after applying subsection (b) of this section).

“(2) **MEDICAL CARE.**—The term ‘medical care’ has the meaning provided in section 733(a)(2).

“(3) **HEALTH INSURANCE COVERAGE.**—The term ‘health insurance coverage’ has the meaning provided in section 733(b)(1).

“(4) **HEALTH INSURANCE ISSUER.**—The term ‘health insurance issuer’ has the meaning provided in section 733(b)(2).

“(5) **APPLICABLE AUTHORITY.**—The term ‘applicable authority’ means the Secretary, except that, in connection with any exercise of the Secretary’s authority regarding which the Secretary is required under section 506(d) to consult with a State, such term means the Secretary, in consultation with such State.

“(6) **HEALTH STATUS-RELATED FACTOR.**—The term ‘health status-related factor’ has the meaning provided in section 733(d)(2).

“(7) **INDIVIDUAL MARKET.**—

“(A) **IN GENERAL.**—The term ‘individual market’ means the market for health insurance coverage offered to individuals other than in connection with a group health plan.

“(B) **TREATMENT OF VERY SMALL GROUPS.**—

“(i) **IN GENERAL.**—Subject to clause (ii), such term includes coverage offered in connection with a group health plan that has fewer than 2 participants as current employees or participants described in section 732(d)(3) on the first day of the plan year.

“(ii) **STATE EXCEPTION.**—Clause (i) shall not apply in the case of health insurance coverage offered in a State if such State regulates the coverage described in such clause in the same manner and to the same extent as coverage in the small group market (as defined in section 2791(e)(5) of the Public Health Service Act) is regulated by such State.

“(8) **PARTICIPATING EMPLOYER.**—The term ‘participating employer’ means, in connection with an association health plan, any employer, if any individual who is an employee of such employer, a partner in such employer, or a self-employed individual who is such employer (or any dependent, as defined under the terms of the plan, of such individual) is or was covered under such plan in connection with the status of such individual as such an employee, partner, or self-employed individual in relation to the plan.

“(9) **APPLICABLE STATE AUTHORITY.**—The term ‘applicable State authority’ means, with respect to a health insurance issuer in a State, the State insurance commissioner or official or officials designated by the

State to enforce the requirements of title XXVII of the Public Health Service Act for the State involved with respect to such issuer.

“(10) **QUALIFIED ACTUARY.**—The term ‘qualified actuary’ means an individual who is a member of the American Academy of Actuaries.

“(11) **AFFILIATED MEMBER.**—The term ‘affiliated member’ means, in connection with a sponsor—

“(A) a person who is otherwise eligible to be a member of the sponsor but who elects an affiliated status with the sponsor,

“(B) in the case of a sponsor with members which consist of associations, a person who is a member of any such association and elects an affiliated status with the sponsor, or

“(C) in the case of an association health plan in existence on the date of the enactment of the Small Business Health Fairness Act of 2007, a person eligible to be a member of the sponsor or one of its member associations.

“(12) **LARGE EMPLOYER.**—The term ‘large employer’ means, in connection with a group health plan with respect to a plan year, an employer who employed an average of at least 51 employees on business days during the preceding calendar year and who employs at least 2 employees on the first day of the plan year.

“(13) **SMALL EMPLOYER.**—The term ‘small employer’ means, in connection with a group health plan with respect to a plan year, an employer who is not a large employer.

“(b) **RULES OF CONSTRUCTION.**—

“(1) **EMPLOYERS AND EMPLOYEES.**—For purposes of determining whether a plan, fund, or program is an employee welfare benefit plan which is an association health plan, and for purposes of applying this title in connection with such plan, fund, or program so determined to be such an employee welfare benefit plan—

“(A) in the case of a partnership, the term ‘employer’ (as defined in section 3(5)) includes the partnership in relation to the partners, and the term ‘employee’ (as defined in section 3(6)) includes any partner in relation to the partnership; and

“(B) in the case of a self-employed individual, the term ‘employer’ (as defined in section 3(5)) and the term ‘employee’ (as defined in section 3(6)) shall include such individual.

“(2) **PLANS, FUNDS, AND PROGRAMS TREATED AS EMPLOYEE WELFARE BENEFIT PLANS.**—In the case of any plan, fund, or program which was established or is maintained for the purpose of providing medical care (through the purchase of insurance or otherwise) for employees (or their dependents) covered thereunder and which demonstrates to the Secretary that all requirements for certification under this part would be met with respect to such plan, fund, or program if such plan, fund, or program were a group health plan, such plan, fund, or program shall be treated for purposes of this title as an employee welfare benefit plan on and after the date of such demonstration.”.

(b) **CONFORMING AMENDMENTS TO PREEMPTION RULES.**—

(1) Section 514(b)(6) of such Act (29 U.S.C. 1144(b)(6)) is amended by adding at the end the following new subparagraph:

“(E) The preceding subparagraphs of this paragraph do not apply with respect to any State law in the case of an association health plan which is certified under part 8.”.

(2) Section 514 of such Act (29 U.S.C. 1144) is amended—

(A) in subsection (b)(4), by striking “Subsection (a)” and inserting “Subsections (a) and (d)”;

(B) in subsection (b)(5), by striking “subsection (a)” in subparagraph (A) and inserting “subsection (a) of this section and subsections (a)(2)(B) and (b) of section 805”, and by striking “subsection (a)” in subparagraph (B) and inserting “subsection (a) of this section or subsection (a)(2)(B) or (b) of section 805”;

(C) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(D) by inserting after subsection (c) the following new subsection:

“(d)(1) Except as provided in subsection (b)(4), the provisions of this title shall supersede any and all State laws insofar as they may now or hereafter preclude, or have the effect of precluding, a health insurance issuer from offering health insurance coverage in connection with an association health plan which is certified under part 8.

“(2) Except as provided in paragraphs (4) and (5) of subsection (b) of this section—

“(A) In any case in which health insurance coverage of any policy type is offered under an association health plan certified under part 8 to a participating employer operating in such State, the provisions of this title shall supersede any and all laws of such State insofar as they may preclude a health insurance issuer from offering health insurance coverage of the same policy type to other employers operating in the State which are eligible for coverage under such association health plan, whether or not such other employers are participating employers in such plan.

“(B) In any case in which health insurance coverage of any policy type is offered in a State under an association health plan certified under part 8 and the filing, with the applicable State authority (as defined in section 812(a)(9)), of the policy form in connection with such policy type is approved by such State authority, the provisions of this title shall supersede any and all laws of any other State in which health insurance coverage of such type is offered, insofar as they may preclude, upon the filing in the same form and manner of such policy form with the applicable State authority in such other State, the approval of the filing in such other State.

“(3) Nothing in subsection (b)(6)(E) or the preceding provisions of this subsection shall be construed, with respect to health insurance issuers or health insurance coverage, to supersede or impair the law of any State—

“(A) providing solvency standards or similar standards regarding the adequacy of insurer capital, surplus, reserves, or contributions, or

“(B) relating to prompt payment of claims.

“(4) For additional provisions relating to association health plans, see subsections (a)(2)(B) and (b) of section 805.

“(5) For purposes of this subsection, the term ‘association health plan’ has the meaning provided in section 801(a), and the terms ‘health insurance coverage’, ‘participating employer’, and ‘health insurance issuer’ have the meanings provided such terms in section 812, respectively.”.

(3) Section 514(b)(6)(A) of such Act (29 U.S.C. 1144(b)(6)(A)) is amended—

(A) in clause (i)(II), by striking “and” at the end;

(B) in clause (ii), by inserting “and which does not provide medical care (within the meaning of section 733(a)(2)),” after “arrangement,” and by striking “title.” and inserting “title, and”;

(C) by adding at the end the following new clause:

“(iii) subject to subparagraph (E), in the case of any other employee welfare benefit plan which is a multiple employer welfare arrangement and which provides medical care (within the meaning of section

733(a)(2)), any law of any State which regulates insurance may apply.”.

(4) Section 514(e) of such Act (as redesignated by paragraph (2)(C)) is amended—

(A) by striking “Nothing” and inserting “(1) Except as provided in paragraph (2), nothing”; and

(B) by adding at the end the following new paragraph:

“(2) Nothing in any other provision of law enacted on or after the date of the enactment of the Small Business Health Fairness Act of 2007 shall be construed to alter, amend, modify, invalidate, impair, or supersede any provision of this title, except by specific cross-reference to the affected section.”.

(c) PLAN SPONSOR.—Section 3(16)(B) of such Act (29 U.S.C. 102(16)(B)) is amended by adding at the end the following new sentence: “Such term also includes a person serving as the sponsor of an association health plan under part 8.”.

(d) DISCLOSURE OF SOLVENCY PROTECTIONS RELATED TO SELF-INSURED AND FULLY INSURED OPTIONS UNDER ASSOCIATION HEALTH PLANS.—Section 102(b) of such Act (29 U.S.C. 102(b)) is amended by adding at the end the following: “An association health plan shall include in its summary plan description, in connection with each benefit option, a description of the form of solvency or guarantee fund protection secured pursuant to this Act or applicable State law, if any.”.

(e) SAVINGS CLAUSE.—Section 731(c) of such Act is amended by inserting “or part 8” after “this part”.

(f) REPORT TO THE CONGRESS REGARDING CERTIFICATION OF SELF-INSURED ASSOCIATION HEALTH PLANS.—Not later than January 1, 2012, the Secretary of Labor shall report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate the effect association health plans have had, if any, on reducing the number of uninsured individuals.

(g) CLERICAL AMENDMENT.—The table of contents in section 1 of the Employee Retirement Income Security Act of 1974 is amended by inserting after the item relating to section 734 the following new items:

“PART 8—RULES GOVERNING ASSOCIATION HEALTH PLANS

- “801. Association health plans
- “802. Certification of association health plans
- “803. Requirements relating to sponsors and boards of trustees
- “804. Participation and coverage requirements
- “805. Other requirements relating to plan documents, contribution rates, and benefit options
- “806. Maintenance of reserves and provisions for solvency for plans providing health benefits in addition to health insurance coverage
- “807. Requirements for application and related requirements
- “808. Notice requirements for voluntary termination
- “809. Corrective actions and mandatory termination
- “810. Trusteeship by the Secretary of insolvent association health plans providing health benefits in addition to health insurance coverage
- “811. State assessment authority
- “812. Definitions and rules of construction”.

SEC. 203. CLARIFICATION OF TREATMENT OF SINGLE EMPLOYER ARRANGEMENTS.

Section 3(40)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(40)(B)) is amended—

(1) in clause (i), by inserting after “control group,” the following: “except that, in any

case in which the benefit referred to in subparagraph (A) consists of medical care (as defined in section 812(a)(2)), two or more trades or businesses, whether or not incorporated, shall be deemed a single employer for any plan year of such plan, or any fiscal year of such other arrangement, if such trades or businesses are within the same control group during such year or at any time during the preceding 1-year period.”;

(2) in clause (iii), by striking “(iii) the determination” and inserting the following:

“(iii)(I) in any case in which the benefit referred to in subparagraph (A) consists of medical care (as defined in section 812(a)(2)), the determination of whether a trade or business is under ‘common control’ with another trade or business shall be determined under regulations of the Secretary applying principles consistent and coextensive with the principles applied in determining whether employees of two or more trades or businesses are treated as employed by a single employer under section 4001(b), except that, for purposes of this paragraph, an interest of greater than 25 percent may not be required as the minimum interest necessary for common control, or

“(II) in any other case, the determination”;

(3) by redesignating clauses (iv) and (v) as clauses (v) and (vi), respectively; and

(4) by inserting after clause (iii) the following new clause:

“(iv) in any case in which the benefit referred to in subparagraph (A) consists of medical care (as defined in section 812(a)(2)), in determining, after the application of clause (i), whether benefits are provided to employees of two or more employers, the arrangement shall be treated as having only one participating employer if, after the application of clause (i), the number of individuals who are employees and former employees of any one participating employer and who are covered under the arrangement is greater than 75 percent of the aggregate number of all individuals who are employees or former employees of participating employers and who are covered under the arrangement.”.

SEC. 204. ENFORCEMENT PROVISIONS RELATING TO ASSOCIATION HEALTH PLANS.

(a) CRIMINAL PENALTIES FOR CERTAIN WILLFUL MISREPRESENTATIONS.—Section 501 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1131) is amended—

(1) by inserting “(a)” after “Sec. 501.”; and

(2) by adding at the end the following new subsection:

“(b) Any person who willfully falsely represents, to any employee, any employee’s beneficiary, any employer, the Secretary, or any State, a plan or other arrangement established or maintained for the purpose of offering or providing any benefit described in section 3(1) to employees or their beneficiaries as—

“(1) being an association health plan which has been certified under part 8;

“(2) having been established or maintained under or pursuant to one or more collective bargaining agreements which are reached pursuant to collective bargaining described in section 8(d) of the National Labor Relations Act (29 U.S.C. 158(d)) or paragraph Fourth of section 2 of the Railway Labor Act (45 U.S.C. 152, paragraph Fourth) or which are reached pursuant to labor-management negotiations under similar provisions of State public employee relations laws; or

“(3) being a plan or arrangement described in section 3(40)(A)(i), shall, upon conviction, be imprisoned not more than 5 years, be fined under title 18, United States Code, or both.”.

(b) CEASE ACTIVITIES ORDERS.—Section 502 of such Act (29 U.S.C. 1132) is amended by

adding at the end the following new subsection:

“(n) ASSOCIATION HEALTH PLAN CEASE AND DESIST ORDERS.—

“(1) IN GENERAL.—Subject to paragraph (2), upon application by the Secretary showing the operation, promotion, or marketing of an association health plan (or similar arrangement providing benefits consisting of medical care (as defined in section 733(a)(2))) that—

“(A) is not certified under part 8, is subject under section 514(b)(6) to the insurance laws of any State in which the plan or arrangement offers or provides benefits, and is not licensed, registered, or otherwise approved under the insurance laws of such State; or

“(B) is an association health plan certified under part 8 and is not operating in accordance with the requirements under part 8 for such certification,

a district court of the United States shall enter an order requiring that the plan or arrangement cease activities.

“(2) EXCEPTION.—Paragraph (1) shall not apply in the case of an association health plan or other arrangement if the plan or arrangement shows that—

“(A) all benefits under it referred to in paragraph (1) consist of health insurance coverage; and

“(B) with respect to each State in which the plan or arrangement offers or provides benefits, the plan or arrangement is operating in accordance with applicable State laws that are not superseded under section 514.

“(3) ADDITIONAL EQUITABLE RELIEF.—The court may grant such additional equitable relief, including any relief available under this title, as it deems necessary to protect the interests of the public and of persons having claims for benefits against the plan.”.

(c) RESPONSIBILITY FOR CLAIMS PROCEDURE.—Section 503 of such Act (29 U.S.C. 1133) is amended by inserting “(a) IN GENERAL.—” before “In accordance”, and by adding at the end the following new subsection:

“(b) ASSOCIATION HEALTH PLANS.—The terms of each association health plan which is or has been certified under part 8 shall require the board of trustees or the named fiduciary (as applicable) to ensure that the requirements of this section are met in connection with claims filed under the plan.”.

SEC. 205. COOPERATION BETWEEN FEDERAL AND STATE AUTHORITIES.

Section 506 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1136) is amended by adding at the end the following new subsection:

“(d) CONSULTATION WITH STATES WITH RESPECT TO ASSOCIATION HEALTH PLANS.—

“(1) AGREEMENTS WITH STATES.—The Secretary shall consult with the State recognized under paragraph (2) with respect to an association health plan regarding the exercise of—

“(A) the Secretary’s authority under sections 502 and 504 to enforce the requirements for certification under part 8; and

“(B) the Secretary’s authority to certify association health plans under part 8 in accordance with regulations of the Secretary applicable to certification under part 8.

“(2) RECOGNITION OF PRIMARY DOMICILE STATE.—In carrying out paragraph (1), the Secretary shall ensure that only one State will be recognized, with respect to any particular association health plan, as the State with which consultation is required. In carrying out this paragraph—

“(A) in the case of a plan which provides health insurance coverage (as defined in section 812(a)(3)), such State shall be the State with which filing and approval of a policy type offered by the plan was initially obtained, and

“(B) in any other case, the Secretary shall take into account the places of residence of the participants and beneficiaries under the plan and the State in which the trust is maintained.”.

SEC. 206. EFFECTIVE DATE AND TRANSITIONAL AND OTHER RULES.

(a) **EFFECTIVE DATE.**—The amendments made by this Act shall take effect 1 year after the date of the enactment of this Act. The Secretary of Labor shall first issue all regulations necessary to carry out the amendments made by this Act within 1 year after the date of the enactment of this Act.

(b) **TREATMENT OF CERTAIN EXISTING HEALTH BENEFITS PROGRAMS.**—

(1) **IN GENERAL.**—In any case in which, as of the date of the enactment of this Act, an arrangement is maintained in a State for the purpose of providing benefits consisting of medical care for the employees and beneficiaries of its participating employers, at least 200 participating employers make contributions to such arrangement, such arrangement has been in existence for at least 10 years, and such arrangement is licensed under the laws of one or more States to provide such benefits to its participating employers, upon the filing with the applicable authority (as defined in section 812(a)(5) of the Employee Retirement Income Security Act of 1974 (as amended by this subtitle)) by the arrangement of an application for certification of the arrangement under part 8 of subtitle B of title I of such Act—

(A) such arrangement shall be deemed to be a group health plan for purposes of title I of such Act;

(B) the requirements of sections 801(a) and 803(a) of the Employee Retirement Income Security Act of 1974 shall be deemed met with respect to such arrangement;

(C) the requirements of section 803(b) of such Act shall be deemed met, if the arrangement is operated by a board of directors which—

(i) is elected by the participating employers, with each employer having one vote; and

(ii) has complete fiscal control over the arrangement and which is responsible for all operations of the arrangement;

(D) the requirements of section 804(a) of such Act shall be deemed met with respect to such arrangement; and

(E) the arrangement may be certified by any applicable authority with respect to its operations in any State only if it operates in such State on the date of certification.

The provisions of this subsection shall cease to apply with respect to any such arrangement at such time after the date of the enactment of this Act as the applicable requirements of this subsection are not met with respect to such arrangement.

(2) **DEFINITIONS.**—For purposes of this subsection, the terms “group health plan”, “medical care”, and “participating employer” shall have the meanings provided in section 812 of the Employee Retirement Income Security Act of 1974, except that the reference in paragraph (7) of such section to an “association health plan” shall be deemed a reference to an arrangement referred to in this subsection.

TITLE III—TAX INCENTIVES FOR SMALL BUSINESS

SECTION 301. INCREASED EXPENSING FOR SMALL BUSINESS.

Subsections (b)(1), (b)(2), (b)(5), (c)(2), and (d)(1)(A)(ii) of section 179 of the Internal Revenue Code of 1986 (relating to election to expense certain depreciable business assets) are each amended by striking “2010” and inserting “2011”.

SEC. 302. DEPRECIABLE RESTAURANT PROPERTY TO INCLUDE NEW CONSTRUCTION.

(a) **IN GENERAL.**—Paragraph (7) of section 168(e) of the Internal Revenue Code of 1986

(defining qualified restaurant property) is amended to read as follows:

“(7) **QUALIFIED RESTAURANT PROPERTY.**—The term ‘qualified restaurant property’ means any section 1250 property which is a building or an improvement to a building if more than 50 percent of the building’s square footage is devoted to preparation of, and seating for on-premises consumption of, prepared meals.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply to property placed in service after the date of the enactment of this Act.

SEC. 303. REPEAL OF FEDERAL UNEMPLOYMENT SURTAX.

(a) **IN GENERAL.**—Section 3301 of the Internal Revenue Code of 1986 (relating to rate of Federal unemployment tax) is amended by striking “or” at the end of paragraph (1), by redesignating paragraph (2) as paragraph (3), and by inserting after paragraph (1) the following new paragraph:

“(2) in the case of wages paid in calendar year 2007—

“(A) 6.2 percent in the case of wages for any portion of the year ending before April 1, and

“(B) 6.0 percent in the case of wages for any portion of the year beginning after March 31; or”.

(b) **CONFORMING AMENDMENT.**—Section 3301(1) of such Code is amended by striking “2007” and inserting “2006”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to wages paid after December 31, 2006.

POINT OF ORDER

Mr. GEORGE MILLER of California (during the reading). Mr. Speaker, I want to make a point of order.

The SPEAKER pro tempore. Is there objection to dispensing with further reading of the motion to recommit?

There was no objection.

The SPEAKER pro tempore. The gentleman may proceed with his point of order.

Mr. GEORGE MILLER of California. Mr. Speaker, I make a point of order against the motion to recommit. The motion is not germane. For example, the motion contains tax provisions which are clearly outside the jurisdiction of the bill.

The SPEAKER pro tempore. Does the gentleman from California wish to be heard on the point of order?

Mr. McKEON. Yes, Mr. Speaker, I wish to respond.

Mr. Speaker, my motion should be ruled germane. The bill before us, brought to the floor under unprecedented circumstances, circumstances that have not been “fair, open, and honest” by any means, would raise the minimum wage mandate by 41 percent, with small businesses and their workers left unprotected.

Considering that more than 7 million new jobs have been created in the last 3½ years, and that two-thirds of all new jobs are provided by small businesses, I ask my colleagues, why in the world would we leave them unprotected and endanger this incredible momentum?

My motion provides a fair alternative that increases the minimum wage in exactly the same manner as the Democratic leadership’s bill; expands access to affordable health care by estab-

lishing small business health plans; and extends important protections for small businesses and their workers.

My motion should be considered not only germane but a proposal far superior to the Democratic leadership’s unbalanced minimum wage proposal.

The SPEAKER pro tempore. Does the gentleman wish to be recognized for further argument?

Mr. GEORGE MILLER of California. I would simply press the point that the motion to recommit offered by the minority is not germane, and it contains tax provisions and others that are outside the scope of the jurisdiction of the bill.

The SPEAKER pro tempore. The Chair is prepared to rule.

The gentleman from California makes a point of order that the instructions included in the motion to recommit propose an amendment not germane to the bill.

Clause 7 of rule XVI, the germaneness rule, provides that no proposition on a subject different from that under consideration shall be admitted under color of amendment. Among the central tenets of the germaneness rule are that an amendment may not introduce a new subject matter and that an amendment may not introduce matter within the jurisdiction of committees not represented in the pending measure.

H.R. 2 was referred to the Committee on Education and Labor, and its provisions are confined to the jurisdiction of that committee. The bill addresses the rate of the minimum wage. It also applies certain wage provisions to the Commonwealth of the Northern Mariana Islands.

The instructions contained in the motion to recommit include, among other provisions, an amendment to the Internal Revenue Code of 1986 regarding certain Federal tax provisions.

In the opinion of the Chair, that feature of the motion to recommit is neither properly related to the subject matter of the bill nor within the jurisdiction of the Committee on Education and Labor.

Accordingly, the amendment proposed in the motion to recommit is not germane. The point of order is sustained, and the motion is not in order.

Mr. McKEON. Mr. Speaker, I move to appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

Mr. GEORGE MILLER of California. Mr. Speaker, I move to table the appeal.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. McKEON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the

point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 232, nays 197, not voting 6, as follows:

[Roll No. 16]		
YEAS—232		
Abercrombie	Grijalva	Napolitano
Ackerman	Gutierrez	Neal (MA)
Allen	Hall (NY)	Oberstar
Altmire	Hare	Obey
Andrews	Harman	Oliver
Arcuri	Hastings (FL)	Ortiz
Baca	Hereth	Pallone
Baird	Higgins	Pascarell
Baldwin	Hill	Pastor
Barrow	Hinchey	Payne
Bean	Hinojosa	Pelosi
Becerra	Hirono	Perlmutter
Berkley	Hodes	Peterson (MN)
Berman	Holden	Pomeroy
Berry	Holt	Price (NC)
Bishop (GA)	Honda	Rahall
Bishop (NY)	Hooley	Rangel
Blumenauer	Hoyer	Reyes
Boren	Inslee	Rodriguez
Boswell	Israel	Ross
Boucher	Jackson (IL)	Rothman
Boyd (FL)	Jackson-Lee	Roybal-Allard
Boyd (KS)	(TX)	Ruppersberger
Brady (PA)	Jefferson	Rush
Braley (IA)	Johnson (GA)	Ryan (OH)
Brown, Corrine	Johnson, E. B.	Salazar
Butterfield	Jones (OH)	Sánchez, Linda
Capps	Kagen	T.
Capuano	Kanjorski	Sanchez, Loretta
Cardoza	Kaptur	Sarbanes
Carahan	Kennedy	Schakowsky
Carney	Kildee	Schiff
Carson	Kilpatrick	Schwartz
Castor	Kind	Scott (GA)
Chandler	Klein (FL)	Scott (VA)
Clarke	Kucinich	Serrano
Clay	Lampson	Sestak
Cleaver	Langevin	Shea-Porter
Clyburn	Lantos	Sherman
Cohen	Larsen (WA)	Shuler
Conyers	Larson (CT)	Sires
Cooper	Lee	Skelton
Costa	Levin	Slaughter
Costello	Lewis (GA)	Smith (WA)
Courtney	Lipinski	Snyder
Cramer	Loebach	Solis
Crowley	Lofgren, Zoe	Space
Cuellar	Lowe	Spratt
Cummings	Lynch	Stark
Davis (AL)	Mahoney (FL)	Stupak
Davis (CA)	Maloney (NY)	Sutton
Davis (IL)	Markey	Tanner
Davis, Lincoln	Marshall	Tauscher
DeFazio	Matheson	Taylor
DeGette	Matsui	Thompson (CA)
Delahunt	McCarthy (NY)	Thompson (MS)
DeLauro	McCollum (MN)	Tierney
Dicks	McDermott	Towns
Dingell	McGovern	Udall (CO)
Doggett	McIntyre	Udall (NM)
Donnelly	McNerney	Van Hollen
Doyle	McNulty	Velázquez
Edwards	Meehan	Visclosky
Ellison	Meeks (NY)	Walz (MN)
Ellsworth	Melancon	Wasserman
Emanuel	Michaud	Schultz
Engel	Millender-	Waters
Eshoo	McDonald	Watson
Etheridge	Miller (NC)	Watt
Farr	Miller, George	Waxman
Fattah	Mitchell	Weiner
Finer	Mollohan	Welch (VT)
Frank (MA)	Moore (KS)	Wexler
Giffords	Moore (WI)	Wilson (OH)
Gillibrand	Moran (VA)	Woolsey
Gonzalez	Murphy (CT)	Wu
Gordon	Murphy, Patrick	Wynn
Green, Al	Murtha	Yarmuth
Green, Gene	Nadler	

NAYS—197

Aderholt	Bachmann	Barrett (SC)
Akin	Bachus	Bartlett (MD)
Alexander	Baker	Barton (TX)

Biggett	Gingrey	Paul
Bilbray	Gohmert	Pearce
Bilirakis	Goode	Pence
Bishop (UT)	Goodlatte	Peterson (PA)
Blackburn	Granger	Petri
Blunt	Graves	Pickering
Boehner	Hall (TX)	Pitts
Bonner	Hastert	Platts
Bono	Hastings (WA)	Poe
Boozman	Hayes	Porter
Boustany	Heller	Price (GA)
Brady (TX)	Hensarling	Pryce (OH)
Brown (SC)	Herger	Putnam
Brown-Waite,	Hobson	Radanovich
Ginny	Hoekstra	Ramstad
Buchanan	Hulshof	Regula
Burgess	Hunter	Rehberg
Burton (IN)	Inglis (SC)	Reichert
Calvert	Issa	Renzi
Camp (MI)	Jindal	Rogers (AL)
Campbell (CA)	Johnson (IL)	Rogers (KY)
Cannon	Johnson, Sam	Rogers (MI)
Cantor	Jones (NC)	Rohrabacher
Capito	Jordan	Ros-Lehtinen
Carter	Keller	Roskam
Castle	King (IA)	Royce
Chabot	King (NY)	Ryan (WI)
Coble	Kingston	Sali
Cole (OK)	Kirk	Saxton
Conaway	Kline (MN)	Schmidt
Crenshaw	Kuhl (NY)	Sensenbrenner
Cubin	LaHood	Sessions
Culberson	Lamborn	Shadegg
Davis (KY)	Latham	Shays
Davis, David	LaTourette	Shimkus
Davis, Jo Ann	Lewis (CA)	Shuster
Davis, Tom	Lewis (KY)	Simpson
Deal (GA)	Linder	Smith (NE)
Dent	LoBlundo	Smith (NJ)
Diaz-Balart, L.	Lucas	Smith (TX)
Diaz-Balart, M.	Lungren, Daniel	Souder
Doolittle	E.	Stearns
Drake	Mack	Sullivan
Dreier	Manzullo	Tancred
Duncan	Marchant	Terry
Ehlers	McCarthy (CA)	Thornberry
Emerson	McCaul (TX)	Tiahrt
English (PA)	McCotter	Tiberi
Everett	McCrery	Turner
Fallin	McHenry	Upton
Feeney	McHugh	Walberg
Ferguson	McKeon	Walden (OR)
Flake	McMorris	Walsh (NY)
Forbes	Rodgers	Wamp
Fortenberry	Mica	Weldon (FL)
Fossella	Miller (FL)	Weller
Fox	Miller (MI)	Westmoreland
Franks (AZ)	Miller, Gary	Wicker
Frelinghuysen	Moran (KS)	Wilson (NM)
Galleghy	Murphy, Tim	Wilson (SC)
Garrett (NJ)	Musgrave	Wolf
Gerlach	Myrick	Young (AK)
Gilchrest	Neugebauer	Young (FL)
Gillmor	Nunes	

NOT VOTING—6

Buyer	Meek (FL)	Reynolds
Knollenberg	Norwood	Whitfield

□ 1631

Mrs. BACHMANN, Mr. LEWIS of California, Mr. PETERSON of Pennsylvania and Mr. GILLMOR changed their vote from “yea” to “nay.”

Mr. SPRATT, Ms. MOORE of Wisconsin, Ms. CLARKE and Mr. REYES changed their vote from “nay” to “yea.”

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MEEK of Florida. Mr. Speaker, on rollcall No. 16, on the motion to table the Appeal of the Ruling of the Chair, had I been present, I would have voted “yea.”

Stated for:

Mr. REYNOLDS. Mr. Speaker, on rollcall No. 16 I was unavoidably detained. Had I been present, I would have voted “nay.”

MOTION TO RECOMMIT OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MCKEON. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. McKeon moves to recommit the bill (H.R. 2) to the Committee on Education and Labor with instructions to report the bill back to the House forthwith with the following amendment:

In section 2, redesignate subsection (b) as subsection (c) and insert after subsection (a) the following:

(b) MINIMUM WAGE FOR EMPLOYERS PROVIDING EMPLOYEES CERTAIN HEALTH CARE BENEFITS.—Section 6(a) of the Fair Labor Standards Act of 1938 is further amended in subsection (a), by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively and inserting after paragraph (2) the following new paragraph:

“(2) if an employer provides health care benefits to an employee through an employee welfare benefit plan (as defined under section 3(1) of the Employee Retirement Income Security Act (29 USC 1002(3)), the applicable minimum wage rate paid by such employer to such employee shall be \$5.15 an hour;”.

Mr. MCKEON (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes in support of his motion.

Mr. MCKEON. Mr. Speaker, this motion is straightforward in purpose, but for millions of uninsured Americans, it would be incredibly meaningful in practice. During today's debate, many of us, particularly those on this side of the aisle, have talked about the need to expand access to affordable health care. As I noted earlier, when discussing my comprehensive minimum wage package, I believe this debate presents us a tremendous opportunity, not only to impact wages, but to improve working families' quality of life as well.

Therefore, I offer this motion in the same spirit as that comprehensive measure. It would ensure that if an employer offers health coverage to his or her workers, an incredibly costly yet incredibly important employee benefit, then this employer should not be further burdened with a 41 percent minimum wage mandate imposed by H.R. 2, a mandate thrust upon these employers without any protections at all for small business and their workers.

Mr. Speaker, to speak about the benefits of this proposal, I yield the balance of my time to the gentlewoman from New Mexico (Mrs. WILSON), who has been working this very issue for many years.

Mrs. WILSON of New Mexico. Mr. Speaker, my colleagues, I would like to tell you about one of my constituents.

Her name is Mary Padilla, and she runs Roadrunner Transmission in Albuquerque, New Mexico. She has five employees, and she has been in business for 7 years, and she provides health insurance for every one of those five employees. Mary tells me that if we raise the minimum wage, she is going to have a tough time continuing to provide health insurance for her employees, and she may have to make a choice that she doesn't want to make.

Mary is not alone. More than 3 million Americans have gotten new jobs in the last 36 months with small businesses. The toughest thing for a small business person to do is to make the payroll and provide health insurance.

This motion to recommit would add one provision into this bill on the minimum wage. It would say, if you are an employer who is providing health insurance for your employees, that benefit is worth more than the bump up in the minimum wage, and you would not have to comply with these new rules with respect to the minimum wage. It would stay where it is for your small business.

One of the biggest problems we face as a country is the uninsured population. In my State, about one in four people doesn't have health insurance. This provision would encourage more small and medium-sized businesses to provide health insurance for their employees. A paycheck matters, a paycheck that makes it through the whole week, but it also matters if you are a parent who has to worry every night whether the kids are going to get sick when you cannot pay for it, because you don't have insurance with your job.

I would encourage all of you to support the motion to recommit and support small business health insurance for every employee in America.

Mr. McKEON. Mr. Speaker, I yield back the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, and Members of the House, today is a remarkable day, because after 10 years, we are going to have an up-and-down vote on whether the poorest people in our Nation, who are working every day and, at the end of the year, end up poor, deserve a raise. That is what we are going to do today.

For 10 years, we have struggled to have this vote, and now we are finally going to have it. We have had a lot of excuses why we couldn't have it. We have had votes hijacked, and we have had votes pulled off the floor, but we could never have this vote. Today, the beginning of the 100 hours, we are going to have this vote. We are going

to have this vote, because this is a major concern. This is a major concern to the American society.

What so many of my colleagues made clear today in the debate is that after you have stalled this vote for 10 years, this goes way beyond the dollars and cents of the minimum wage. It goes to the core values of America and economic justice and social justice and fairness and whether or not every American is going to get to participate in the American economic system and also be able to provide for their children and their families.

But my colleagues didn't disappoint me today on the other side of the aisle. We have one more bump in the road. This last moment, they have offered us a motion to recommit where they say, if you offer your employees a health care plan, you can keep the minimum wage at \$5.15. Now it doesn't say that health care plan has to be affordable. It doesn't say what the deductibles are, the copayments, which I am sure if you are a minimum wage worker at \$5.15 today, a wage that is 10 years old, I am sure you can pay the copayments and the deductibles and the premiums. That will not be a problem.

What is it you don't understand about being poor? What is it you don't understand? You are stuck at \$5.15 in today's world. You can't buy the gasoline to go to work, the bread to put on the table, the milk out of the refrigerator. Your utilities are going up. The rent is going up.

Now you say, by the way, if you can pay for a health care plan, you can stay at the minimum wage, you lucky ducky. I don't think that is what America was talking about when 89 percent of them said they want this Congress to raise the minimum wage, not trade it in, not trade it in.

They didn't ask us to trade in the increase in the minimum wage for some phantom health care proposal. You know what the average premium is for a family? The average premium is \$10,880. Okay. That is good plans and bad plans together. Cut it in half. You are at the minimum wage. You have got to pay \$5,000? Cut it in half again. You are at the minimum wage. You can pay another \$2,000 for your health care? I don't think so. I don't think so. Let us get on with the Nation's business, with the people's business, and with the minimum-wage workers' business. Let us reject this motion and pass this bill now.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. McKEON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair

will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 144, noes 287, not voting 4, as follows:

[Roll No. 17]

AYES—144

Aderholt	Forbes	Pearce
Akin	Fortenberry	Peterson (PA)
Alexander	Fossella	Petri
Bachus	Franks (AZ)	Pickering
Baker	Frelinghuysen	Pitts
Bartlett (MD)	Galleghy	Poe
Barton (TX)	Gilchrest	Porter
Biggert	Gillmor	Price (GA)
Billbray	Gohmert	Pryce (OH)
Billirakis	Goode	Putnam
Bishop (UT)	Goodlatte	Radanovich
Blackburn	Granger	Regula
Blunt	Graves	Rehberg
Boehner	Hall (TX)	Reichert
Bonner	Hastert	Reynolds
Bono	Hastings (WA)	Rogers (AL)
Boozman	Hayes	Rogers (KY)
Boustany	Heller	Rogers (MI)
Brown (SC)	Hobson	Rohrabacher
Buchanan	Hoekstra	Ros-Lehtinen
Burgess	Hulshof	Roskam
Burton (IN)	Hunter	Royce
Calvert	Inglis (SC)	Ryan (WI)
Camp (MI)	Issa	Schmidt
Campbell (CA)	Johnson, Sam	Sensenbrenner
Cannon	Jones (NC)	Sessions
Cantor	Jordan	Shadegg
Carter	Keller	Shays
Chabot	Kirk	Shimkus
Coble	Kline (MN)	Shuster
Cole (OK)	LaHood	Smith (NE)
Conaway	Latham	Smith (TX)
Crenshaw	Lewis (CA)	Souder
Cubin	Lewis (KY)	Stearns
Culberson	Linder	Sullivan
Davis (KY)	Lucas	Thornberry
Davis, David	Lungren, Daniel	Tiahrt
Davis, Jo Ann	E.	Tiberi
Davis, Tom	Manzullo	Upton
Deal (GA)	McCarthy (CA)	Walberg
Diaz-Balart, L.	McCaul (TX)	Wamp
Diaz-Balart, M.	McCrery	Weldon (FL)
Doolittle	McKeon	Westmoreland
Drake	McMorris	Whitfield
Dreier	Rodgers	Wicker
Duncan	Mica	Wilson (NM)
Ehlers	Myrick	Wilson (SC)
Everett	Neugebauer	Young (AK)
Fallin	Nunes	

NOES—287

Abercrombie	Carney	Emerson
Ackerman	Carson	Engel
Allen	Castle	English (PA)
Altmire	Castor	Eshoo
Andrews	Chandler	Etheridge
Arcuri	Clarke	Farr
Baca	Clay	Fattah
Bachmann	Cleaver	Feeney
Baird	Clyburn	Ferguson
Baldwin	Cohen	Finer
Barrett (SC)	Conyers	Flake
Barrow	Cooper	Foxx
Bean	Costa	Frank (MA)
Becerra	Costello	Garrett (NJ)
Berkley	Courtney	Gerlach
Berman	Cramer	Giffords
Berry	Crowley	Gillibrand
Bishop (GA)	Cuellar	Gingrey
Bishop (NY)	Cummings	Gonzalez
Blumenauer	Davis (AL)	Gordon
Boren	Davis (CA)	Green, Al
Boswell	Davis (IL)	Green, Gene
Boucher	Davis, Lincoln	Grijalva
Boyd (FL)	DeFazio	Gutierrez
Boyd (KS)	DeGette	Hall (NY)
Brady (PA)	Delahunt	Hare
Brady (TX)	DeLauro	Harman
Braley (IA)	Dent	Hastings (FL)
Brown, Corrine	Dicks	Hensarling
Brown-Waite,	Dingell	Herger
Ginny	Doggett	Herseth
Butterfield	Donnelly	Higgins
Capito	Doyle	Hill
Capps	Edwards	Hinchey
Capuano	Ellison	Hinojosa
Cardoza	Ellsworth	Hirono
Carnahan	Emanuel	Hodes

Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Klein (FL)
Kucinich
Kuhl (NY)
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre

McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-
McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Muschgrave
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Oliver
Ortiz
Pallone
Pascarell
Pastor
Paul
Payne
Pelosi
Pence
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Renzi
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sali
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes

Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—4

Buyer
Knollenberg

Miller, Gary
Norwood

□ 1702

Mr. GINGREY changed his vote from “aye” to “no.”

Mr. SHAYS changed his vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LINDER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 315, noes 116, not voting 4, as follows:

[Roll No. 18]

AYES—315

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Jo Ann
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Etheridge
Everett
Farr
Fattah
Ferguson

Filner
Forbes
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)

Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)

Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler

NOES—116

Akin
Bachmann
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Billbray
Bishop (UT)
Blackburn
Blunt
Boehner
Boustany
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Cubin
Culberson
Davis, David
Davis, Tom
Deal (GA)
Doolittle
Drake
Dreier
Fallin
Feeney
Flake
Fortenberry
Foxy
Franks (AZ)

Gallegly
Garrett (NJ)
Gingrey
Gohmert
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jordan
King (IA)
Kingston
Kline (MN)
Lamborn
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel
E.
Mack
Manzullo
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McKeon
McMorris
Rodgers
Mica
Miller (FL)

Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Pickering
Pitts
Porter
Price (GA)
Putnam
Radanovich
Rehberg
Reynolds
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Sensenbrenner
Sessions
Shadegg
Shuster
Smith (NE)
Souder
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Walberg
Weldon (FL)
Westmoreland
Wicker
Wilson (SC)

NOT VOTING—4

Buyer
Knollenberg

Miller, Gary
Norwood

□ 1710

So the bill was passed.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIREN). Pursuant to clause 8 of rule XX, proceedings on House Resolution 15 will resume tomorrow.

□ 1715

ELECTION OF MEMBERS TO COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. EMANUEL. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 47) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 47

Resolved, That the following named Members and Delegate be and are hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Mr. Rahall, Mr. DeFazio, Mr. Costello, Ms. Norton, Mr. Nadler, Ms. Corrine Brown of Florida, Mr. Filner, Ms. Eddie Bernice Johnson of Texas, Mr. Taylor of Mississippi, Ms. Millender-McDonald, Mr. Cummings, Mrs. Tauscher, Mr. Boswell, Mr. Holden, Mr. Baird, Mr. Larsen of Washington, Mr. Capuano, Ms. Carson, Mr. Bishop of New York, Mr. Michaud, Mr. Higgins, Mr. Carnahan, Mr. Salazar, Mrs. Napolitano, Mr. Lipinski, Mr. Lampson, Mr. Space, Ms. Hirono, Mr. Braley of Iowa, Mr. Altmire, Mr. Walz of Minnesota, Mr. Shuler, Mr. Arcuri, Mr. Mitchell, Mr. Carney, Mr. Hall of New York, Mr. Kagen, Mr. Cohen, Mr. McNerney.

Mr. EMANUEL (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMEMBERING ARTHUR "PETE" SINGLETON

(Mr. MCCRERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCCRERY. Mr. Speaker, I rise today to inform my colleagues of the passing of Arthur "Pete" Singleton, former chief of staff of the Ways and Means Committee, who died this past Saturday. Pete was a great guy who served this country in a variety of ways, beginning with his Marine service and ending as the staff director of the majority Ways and Means Committee for Chairman Bill Archer.

Pete retired for the second time in 2000. Upon his retirement, Chairman Archer summarized Pete's contributions. He said, "It was he who, in 1977, drafted the minority Social Security proposals, most of which later became law. Most recently, he oversaw the committee's intensive efforts during action on the historic 1997 Balanced Budget Act and Taxpayer Relief Act, as well as legislation to repeal the Social Security earnings limit."

Chairman Archer went on to describe the quality of Pete's service to the committee and to our country: "Pete Singleton is one of the most loyal people I have ever known. His first thought has always been: How does this impact the committee? He is one of the hardest working staff persons I have known and has sacrificed much of his personal life for the committee. He possesses a sharp wit and a quick mind. He is a true gentleman in every sense and a wonderful human being."

It was my privilege to serve on the committee when Pete served as chief of staff. I came to rely on Pete as a steady and trusted leader and often utilized his counsel based on his vast expertise and experience.

On behalf of the current and former members of our committee, we com-

memorate Pete's outstanding contributions to the committee that he so loved and to our Nation. Our thoughts and prayers remain with his devoted wife, Libby, and all Pete's family, friends and colleagues.

Mr. Speaker, I rise today to inform my colleagues of the passing of Arthur "Pete" Singleton, former Chief of Staff of the Committee on Ways and Means, who died this past Saturday.

Pete began his service to his country as a Marine in World War II. He joined the Republican Committee staff in 1970 as Deputy Staff Director, following two successful careers, one in journalism as a reporter and editor and one for the former U.S. Steel Company.

Pete soon became expert in the complex issue areas of Social Security and international trade. In 1981, Pete was appointed as Republican Staff Director. He served in that position until 1988, when he retired for the first time.

After spending time writing, along with serving on the Social Security Advisory Board, 8 years later Chairman Bill Archer of Texas asked Pete to return to the Committee on Ways and Means to serve as Majority Chief of Staff, a position which he held until his second retirement in October of 2000.

Upon his retirement, Chairman Archer summarized Pete's contributions as follows:

"It was he, who in 1977, drafted the Minority Social Security proposals, most of which later became law. Most recently, he oversaw the Committee's intensive efforts during action on the historic 1997 Balanced Budget Act and Taxpayer Relief Act, as well as legislation to repeal the Social Security earnings limit."

Even more poignant, however, was what Chairman Archer said about the quality of Pete's service to the Committee and our country.

"Pete Singleton is one of the most loyal people I have ever known. His first thought has always been 'How does this impact the Committee?' He is one of the hardest working staff persons I have known, and has sacrificed much of his personal life for the Committee. He possesses a sharp wit and a quick mind. He is a true gentleman in every sense, and a wonderful human being."

It was my privilege to serve on the Committee when Pete served as Chief of Staff. I came to rely on Pete as a steady and trusted leader, and often utilized his counsel based on his vast expertise and experience.

On behalf of the current and former members of our committee, we commemorate Pete's outstanding contributions to the Committee that he so loved, and to our Nation. Our thoughts and prayers remain with his devoted wife Libby, and all Pete's family, friends, and colleagues.

NINETEENTH AMENDMENT

(Mr. KAGEN asked and was given permission to address the House for 1 minute.)

Mr. KAGEN. Mr. Speaker, I rise today to recognize that it was on this day, as pointed out earlier by my freshman colleague, BRUCE BAILEY from Iowa, January 10, 1918, that the House of Representatives first voted to give women the right to vote by approving the 19th amendment to the Constitution of these United States.

The State of Wisconsin became the first State to ratify the amendment. And following Wisconsin's lead, two-thirds of the States approved the amendment which became the law of the land. The 19th amendment gave women their full rights as citizens.

It says, simply, citizens of the United States shall not be denied the right to vote on account of sex. The 19th amendment brought this Nation one step closer to fulfilling the promises enunciated by our Founders.

As the first Chamber of Congress to approve the amendment, we showed the way, and the Senate followed.

This Chamber took another historic step recently in fulfilling the promise of America's freedoms by electing Speaker NANCY PELOSI as the first woman to hold the position of Speaker of the House.

THE KUCINICH PLAN FOR IRAQ

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, the administration is preparing to escalate the conflict. They intend to increase troop numbers to unprecedented levels, without establishing an ending date. It is important for Congress to oppose the troop surge. But that is not enough. We must respond powerfully to take steps to end the occupation, close U.S. bases in Iraq and bring our troops home. These steps are necessary preconditions to the U.S. extricating itself from Iraq through the establishment of an international security and peacekeeping force.

That is what the Kucinich plan which I am presenting Members of Congress today is all about. Congress as a co-equal branch of government has an urgent responsibility here. Congress under article I, section 8, has the war-making power. Congress appropriates funds for the war. Congress does not dispense with its obligation to the American people simply by opposing a troop surge in Iraq. It is simply not credible to maintain that one opposes the war and yet continues to fund it. If you oppose the war, then don't vote to fund it.

THE KUCINICH PLAN FOR IRAQ

DEAR COLLEAGUE: In November of 2006, after an October upsurge in violence in Iraq, the American people moved decisively to reject Republican rule, principally because of the conduct of the war. Democratic leaders well understand we regained control of the Congress because of the situation in Iraq. However, two months later, the Congress is still searching for a plan around which it can unite to hasten the end of U.S. involvement in Iraq and the return home of 140,000 U.S. troops.

The Administration is preparing to escalate the conflict. They intend to increase troop numbers to unprecedented levels, without establishing an ending date. It is important for Congress to oppose the troop surge. But that is not enough. We must respond powerfully to take steps to end the occupation, close U.S. bases in Iraq and bring our

troops home. These steps are necessary preconditions to the U.S. extricating itself from Iraq through the establishment of an international security and peacekeeping force.

Congress, as a coequal branch of government, has a responsibility here. Congress, under Article 1, Section 8 of the U.S. Constitution has the war-making power. Congress appropriates funds for the war. Congress does not dispense with its obligation to the American people simply by opposing a troop surge in Iraq. It is simply not credible to maintain that one opposes the war and yet continue to fund it. If you oppose the war, do not vote to fund it. If you have money which can be used to bring the troops home do not say you want to bring the troops home while you appropriate money in a supplemental to keep them in Iraq fighting a war that cannot be won militarily. This is why the Administration should be notified now that Congress will not approve of the appropriations request of up to \$160 billion in the spring for the purposes of continuing the occupation and the war. Continuing to fund the war is not a plan. It would represent the continuation of disaster.

In addition to halting funding of this war, a parallel political process is needed. I am offering such a comprehensive plan today. I appreciate your consideration.

Sincerely,

DENNIS J. KUCINICH,
Member of Congress.

THE KUCINICH PLAN FOR IRAQ

1. The US announces it will end the occupation, close military bases and withdraw. The insurgency has been fueled by the occupation and the prospect of a long-term presence as indicated by the building of permanent bases. A U.S. declaration of an intention to withdraw troops and close bases will help dampen the insurgency which has been inspired to resist colonization and fight invaders and those who have supported US policy. Furthermore this will provide an opening where parties within Iraq and in the region can set the stage for negotiations towards peaceful settlement.

2. U.S. announces that it will use existing funds to bring the troops and necessary equipment home. Congress appropriated \$70 billion in bridge funds on October 1st for the war. Money from this and other DOD accounts can be used to fund the troops in the field over the next few months, and to pay for the cost of the return of the troops, (which has been estimated at between \$5 and \$7 billion dollars) while a political settlement is being negotiated and preparations are made for a transition to an international security and peacekeeping force.

3. Order a simultaneous return of all U.S. contractors to the United States and turn over all contracting work to the Iraqi government. The contracting process has been rife with world-class corruption, with contractors stealing from the U.S. Government and cheating the Iraqi people, taking large contracts and giving 5% or so to Iraqi sub-contractors. Reconstruction activities must be reorganized and closely monitored in Iraq by the Iraqi government, with the assistance of the international community. The massive corruption as it relates to U.S. contractors, should be investigated by congressional committees and federal grand juries. The lack of tangible benefits, the lack of accountability for billions of dollars, while millions of Iraqis do not have a means of financial support, nor substantive employment, cries out for justice.

It is noteworthy that after the first Gulf War, Iraqis reestablished electricity within three months, despite sanctions. Four years into the U.S. occupation there is no water,

nor reliable electricity in Baghdad, despite massive funding from the U.S. and from the Madrid conference. The greatest mystery involves the activities of private security companies who function as mercenaries. Reports of false flag operations must be investigated by an international tribunal.

4. Convene a regional conference for the purpose of developing a security and stabilization force for Iraq. The focus should be on a process which solves the problems of Iraq. The U.S. has told the international community, "This is our policy and we want you to come and help us implement it." The international community may have an interest in helping Iraq, but has no interest in participating in the implementation of failed U.S. policy. A shift in U.S. policy away from unilateralism and toward cooperation will provide new opportunities for exploring common concerns about the plight of Iraq. The UN is the appropriate place to convene, through the office of the Secretary General, all countries that have interests, concerns and influence, including the five permanent members of the Security Council and the European community, and all Arab nations.

The end of the U.S. occupation and the closing of military bases are necessary preconditions for such a conference. When the U.S. creates a shift of policy and announces it will focus on the concerns of the people of Iraq, it will provide a powerful incentive for nations to participate. It is well known that while some nations may see the instability in Iraq as an opportunity, there is also an ever-present danger that the civil war in Iraq threatens the stability of nations throughout the region. The impending end of the occupation will provide a breakthrough for the cooperation between the U.S. and the UN and the UN and countries of the region. The regional conference must include Iran, Syria, Egypt, Saudi Arabia and Jordan.

5. Prepare an international security and peacekeeping force to move in, replacing U.S. troops who then return home. The UN has an indispensable role to play here, but cannot do it as long as the U.S. is committed to an occupation. The UN is the only international organization with the ability to mobilize and the legitimacy to authorize troops. The UN is the place to develop the process, to build the political consensus, to craft a political agreement, to prepare the ground for the peacekeeping mission, to implement the basis of an agreement that will end the occupation and begin the transition to international peacekeepers. This process will take at least three months from the time the U.S. announces the intention to end the occupation.

The U.S. will necessarily have to fund a peacekeeping mission, which, by definition will not require as many troops. Fifty percent of the peacekeeping troops must come from nations with large Muslim populations. The international security force, under UN direction, will remain in place until the Iraqi government is capable of handling its own security. The UN can field an international security and peacekeeping mission, but such an initiative will not take shape unless there is a peace to keep, and that will be dependent upon a political process which reaches agreement between all the Iraqi parties. Such an agreement means fewer troops will be needed. According to UN sources, the UN peacekeeping mission in the Congo, which is four times larger in area than Iraq, required about twenty thousand troops. Finally the UN does not mobilize quickly because they depend upon governments to supply the troops, and governments are slow. The ambition of the UN is to deploy in less than ninety days. However, without an agreement of parties the UN is not likely to approve a mission to Iraq, because countries will not give them troops.

6. Develop and fund a process of national reconciliation. The process of reconciliation must begin with a national conference, organized with the assistance of the UN and with the participation of parties who can create, participate in and affect the process of reconciliation, defined as an airing of all grievances and the creation of pathways toward open, transparent talks producing truth and resolution of grievances. The Iraqi government has indicated a desire for the process of reconciliation to take place around it, and that those who were opposed to the government should give up and join the government. Reconciliation must not be confused with capitulation, nor with realignments for the purposes of protecting power relationships.

For example, Kurds need to be assured that their own autonomy will be regarded and therefore obviate the need for the Kurds to align with religious Shia for the purposes of self-protection. The problem in Iraq is that every community is living in fear. The Shia, who are the majority, fear they will not be allowed to government even though they are a majority. The Kurds are afraid they will lose the autonomy they have gained. The Sunnis think they will continue to be made to pay for the sins of Saddam.

A reconciliation process which brings people together is the only way to overcome their fears and reconcile their differences. It is essential to create a minimum of understanding and mutual confidence between the Shiites, Sunnis and Kurds.

But how can a reconciliation process be constructed in Iraq when there is such mistrust: Ethnic cleansing is rampant. The police get their money from the U.S. and their ideas from Tehran. They function as religious militia, fighting for supremacy, while the Interior Ministry collaborates. Two or three million people have been displaced. When someone loses a family member, a loved one, a friend, the first response is likely to be that there is no reconciliation.

It is also difficult to move toward reconciliation when one or several parties engaged in the conflict think they can win outright. The Shia, some of whom are out for revenge, think they can win because they have the defacto support of the U.S. The end of the U.S. occupation will enhance the opportunity for the Shia to come to an accommodation with the Sunnis. They have the oil, the weapons, and support from Iran. They have little interest in reconciling with those who are seen as Baathists.

The Sunnis think they have experience, as the former army of Saddam, boasting half a million insurgents. The Sunnis have so much more experience and motivation that as soon as the Americans leave they believe they can defeat the Shia government. Any Sunni revenge impulses can be held in check by international peacekeepers. The only sure path toward reconciliation is through the political process. All factions and all insurgents not with al Qaeda must be brought together in a relentless process which involves Saudis, Turks, Syrians and Iranians.

7. Reconstruction and Jobs. Restart the failed reconstruction program in Iraq. Rebuild roads, bridges, schools, hospitals, and other public facilities, houses, and factories with jobs and job training going to local Iraqis.

8. Reparations. The U.S. and Great Britain have a high moral obligation to enable a peace process by beginning a program of significant reparations to the people of Iraq for the loss of lives, physical and emotional injuries, and damage to property. There should be special programs to rescue the tens of thousands of Iraqi orphans from lives of destitution. This is essential to enable reconciliation.

9. Political Sovereignty. Put an end to suspicions that the U.S. invasion and occupation was influenced by a desire to gain control of Iraq's oil assets by (A) setting aside initiatives to privatize Iraqi oil interests or other national assets, and (B) by abandoning efforts to change Iraqi national law to facilitate privatization.

Any attempt to sell Iraqi oil assets during the U.S. occupation will be a significant stumbling block to peaceful resolution. The current Iraqi constitution gives oil proceeds to the regions and the central government gets nothing. There must be fairness in the distribution of oil resources in Iraq. An Iraqi National Oil Trust should be established to guarantee the oil assets will be used to create a fully functioning infrastructure with financial mechanisms established protect the oil wealth for the use of the people of Iraq.

10. Iraq Economy. Set forth a plan to stabilize Iraq's cost for food and energy, on par to what the prices were before the U.S. invasion and occupation. This would block efforts underway to raise the price of food and energy at a time when most Iraqis do not have the means to meet their own needs.

11. Economic Sovereignty. Work with the world community to restore Iraq's fiscal integrity without structural readjustment measures of the IMF or the World Bank.

12. International Truth and Reconciliation. Establish a policy of truth and reconciliation between the people of the United States and the people of Iraq.

SPECIAL ORDERS

The SPEAKER pro tempore. Under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

BORDER AGENTS RAMOS AND COMPEAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, it is said that justice is the one thing you should always find. You have to saddle up the boys, you have to draw a hard line. Justice is the one thing you should always find.

Those lyrics are from a song by Willie Nelson, not quite the legal scholar most of us would think, but a true statement nonetheless.

But justice is the one thing you can't find on the Texas-Mexico border, and recent events show that.

Not too long ago, two of our border agents, Jose Compean and Ignacio Ramos were doing their job on the Texas-Mexico border, on patrol keeping illegals out of the United States.

They come in contact with a drug dealer who sees them and takes off running in his van. His van happened to

have 700-plus pounds of marijuana. That is not just for personal use, Mr. Speaker, that is worth \$1 million on the market in Texas. He sees the two drug agents. He flees, jumps out of the van and tries to cross the Rio Grande River. The facts are in dispute as to what occurs. There is a fight with the agents. The agents say the drug dealer had a weapon pointed at them. After the smoke cleared, the drug dealer gets shot in the buttocks and runs back to Mexico.

I say: Well done, border agents. Give them a medal. But that is not what our Federal Government decided to do. Our Federal Government decided to go to Mexico, find this drug dealer, a habitual offender that brings drugs into the United States, and give him immunity to testify against the two border agents, bring him back to the United States and let him testify in a so-called trumped up civil rights violation.

But while waiting to testify, he crosses the border again and given immunity, yes, a second time for bringing drugs into the United States.

After the trial was over with, both of these drug agents were prosecuted for enforcing the law, doing the job that they are supposed to. A week from today, these two border agents will be taken to the Federal penitentiary to serve 10 and 11 years respectively.

Mr. Speaker, this ought not to be. Our Federal Government chose the wrong side in this case. They chose the enemy side in this case.

Mr. Speaker, what are our border agents to do when somebody flees, being a drug dealer, and tries to go back to Mexico? What are they supposed to do? Are they supposed to say, "Halt in the name of the law"?

Mr. Speaker, those days are over in this country.

So either they can enforce the law or they can't enforce the law. Enforcing the law on the Texas border is unenforceable. It is a lawless border because our Federal Government always chooses the wrong side.

Today, Jose Compean and his wife, Patty, were here in Washington, DC. Many Members of Congress in this House on both sides talked to them about the facts of this case and their lives and how it has been changed. All Jose Compean ever wanted to do was be a border agent for the United States and protect the dignity of this country, and he is being punished for that.

So our government had a choice, the choice to be on the side of the drug dealer or the border agents; the choice to be on the side of the illegals or the legals; the side of crime or crime fighters. And our government chose poorly, Mr. Speaker. This ought not to be.

My prior career before becoming a Member of Congress was as a judge in Texas. I heard over 25,000 felony cases of all types. And I am here to tell you, based on what I know about this case, a great injustice has occurred not only to our border agents but to our country.

Our Federal Government needs to take a stand for border security, enforce the rule of law and support those that we have put down to the border with few utensils to protect the dignity of this country.

Yes, Mr. Speaker, justice is the one thing we should always find. We had better find it on the Texas-Mexico border, or injustice will rule the day and this country will pay for it by failing to enforce the rule of law in failing to keep illegal drug dealers out of this Nation.

And that's just the way it is.

PRESIDENT BUSH MUST END HIS WAR IN IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. MCGOVERN) is recognized for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, tonight we will once again listen to President Bush as he describes yet another strategy for the war in Iraq. By all accounts from the media, the President will tell the Nation that he intends to send more U.S. troops to fight and die in Iraq.

This is not "stay the course," Mr. Speaker, this is escalation.

And at a bare minimum, Congress must find the wisdom and the courage to require and vote upon specific new authorization to escalate the number of troops in Iraq.

This is what Senator KENNEDY called for yesterday. He has introduced legislation that prohibits any Federal funds from being used to increase the number of U.S. forces in Iraq without a specific authorization of Congress by law for such an increase.

It is the very minimum we can do, Mr. Speaker, for Congress to finally take some responsibility for this war and exercise some accountability.

What do you do, Mr. Speaker, when a President fails to listen to the military advice of his generals? When he consistently changes generals when their experience and best counsel does not match his own preconceived ideas?

What do you do, Mr. Speaker, when a President ignores the recommendations of the bipartisan Iraq Study Group?

What do you do when a President, whose idea of a exit strategy is to kick the ball down field, is determined to dump this mess on whoever will be the next President of the United States?

Mr. Speaker, this President lost the mid-term elections. He lost because the American people voted against the war, and they want a new direction. This is George Bush's war, and he should end it on his watch. If he is not going to listen to his own generals, the counsel of the Iraq Study Group or the American people, then Congress must confront him and begin to deny him the means and the ability to carry out the next disastrous step of his policy.

□ 1730

It is my view that too many in Washington are consumed with saving face,

rather than saving lives. Political expediency, political cover and political posturing must not be the guiding principles on how we proceed in Iraq. Instead, we must be focused on the men and women we put in harm's way.

And everyone in this Chamber should be haunted by the fact that Congress has acquiesced too many times in one of the worst foreign policy blunders in United States history. Over 3,000 American military personnel have been killed in this war. Are we going to stand here next January and talk about the 4,000 or 5,000 who will have died? Well over 22,000 American troops have been wounded, some injured for life, and over tens of thousands of Iraqi men, women and children are dead.

It is long past time for this Congress to accept responsibility for having given this President a blank check and a free pass for nearly 4 years.

It is simply false to argue that placing any restrictions on funding for this disastrous war somehow shortchanges our troops. Redeployment from Iraq does not shortchange our troops. Bringing them home to their families does not shortchange our troops.

I will tell you what shortchanges our troops. Making them serve two, three or possibly even four tours of duty in Iraq, that shortchanges our troops. Failing to provide the veterans of this war with health care, that shortchanges our troops. Increasing by more than five times the backlog on veterans' disability claims so that those injured in Iraq and those suffering from PTSD don't get the help they need when they return home, that shortchanges our troops, Mr. Speaker.

Mr. Speaker, there is no military victory to be had in Iraq. It is time George Bush ended his war and brought our uniformed men and women home. To do that, we must change the dynamic in Iraq. We must end our occupation, let the Iraqi people determine their own destiny and engage the countries of the region and the international community while we withdraw.

We can start by voting not to escalate this war, even if that means conditioning or withholding funds. I, for one, Mr. Speaker, will not vote for any so-called emergency supplemental appropriations bill that escalates the war in Iraq, that fails to offer a clear plan for when our troops will be coming home.

Mr. Speaker, the American people get it. They are far ahead of the politicians in Washington. They want leadership. They want us to do what is right. They want us to end the war.

The SPEAKER pro tempore (Mr. SIRE). Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO CORPORAL JASON L. DUNHAM, UNITED STATES MARINE CORPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KUH) is recognized for 5 minutes.

Mr. KUH of New York. Mr. Speaker, it is with honor and pleasure that I rise to recognize Corporal Jason L. Dunham, United States Marine Corps. Corporal Dunham will posthumously receive our Nation's highest award for valor tomorrow, on January 11, 2007, from our 43rd President, George W. Bush.

Corporal Dunham grew up in my congressional district in Scio, New York. He was known for his prowess in basketball, baseball and soccer at Scio Central School. He was also well known throughout the entire community, not just for the good-natured pranks that he pulled but for being a young man of enthusiastic yet humble spirit, someone who genuinely cared for others and could always be counted on if someone was in need.

He enlisted in the Marine Corps in July of 2000, because the Marines were known to have the toughest training but also the strongest brotherhood. He also felt a personal challenge to complete basic training and to do it well.

Following his first duty assignment with the Marine Corps security forces in Kings Bay, Georgia, Corporal Dunham was assigned to the Fourth Platoon, K Company, Third Battalion, Regimental Combat Team 7, First Marine Division.

Having quickly proven himself as a capable and conscientious leader, Corporal Dunham was assigned as a squad leader and therefore was entrusted with the training, welfare and the lives of nine American sons. He soon earned the reputation for his unwavering commitment to his fellow Marines. He had a caring, a respectful and a humane style of leadership and believed above all in leadership by example.

On April 14, 2004, while conducting a reconnaissance mission in the town of Karabilah in Al Anbar Province, Corporal Dunham and his men heard rocket-propelled grenades and small arms fire erupting two kilometers to the west. Their battalion commander's patrol had been ambushed while en route to visit L Company at Camp Husaybah right on the Syrian border.

Realizing that his unit was in a position to assist, Corporal Dunham ordered the vehicles of his combined anti-armor team to link up with his dismounted squad and advance towards the engagement to provide reinforcement.

Upon reaching the sight of the ambush, they were quickly barraged with enemy fire. Corporal Dunham ordered the vehicles to dismount and led one of his fire teams into the village to neutralize the ambush.

After having moved several blocks south into the village, they discovered seven Iraqi vehicles in a column at-

tempting to depart to the east. Corporal Dunham ordered his Marines to block their movement and check the vehicles for insurgents.

As he approached the second vehicle in the column, an insurgent leaped out and attacked Corporal Dunham. In the ensuing hand-to-hand struggle, Corporal Dunham wrestled the Iraqi insurgent to the ground and immediately noticed that the insurgent was holding a live grenade.

Corporal Dunham alerted his fellow Marines and, aware of the imminent danger but without hesitation, he removed his helmet and covered the grenade, absorbing the brunt of the explosion and shielding the fellow Marines from a blast in a selfless act of bravery that most certainly saved the lives of a minimum of two of his Marines.

By his undaunted courage, intrepid fighting spirit and unwavering devotion to duty in the face of certain death, Corporal Dunham gallantly gave his life for his country, thereby reflecting great credit upon himself and upholding the highest traditions of the Marine Corps and the United States Naval Service.

Corporal Jason L. Dunham epitomizes the selfless devotion to duty that our young men and women have displayed time and time again in Iraq and Afghanistan, Africa and numerous other places around the world. Our Nation is blessed to have a military full of Corporal Dunhams who are serving with great distinction.

My heart certainly goes out to his family, to the townspeople of his hometown, Scio, New York, and the Marines, for they have lost one of America's finest.

NO ESCALATION OF THE WAR IN IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, in a few hours the President will address the Nation and talk about his plan to escalate the war in Iraq, to try and salvage the abysmal failures of his administration and the unnecessary war which they sold to the Congress and the American people.

Now, in leading up to this, just last month the President said, "It is important to trust the judgment of the military when they are making military plans. I am a strict adherer to the command structure." President Bush.

Well, I guess he is, because he is the commander-in-chief, and he is ignoring the advice of the uniformed services. The President's chief military advisers oppose this escalation in the war.

General John Abizaid, who was then head of all U.S. forces in the Middle East, testified before the Senate Armed Services Committee November 15, "I met with every divisional commander, General Casey, the corps commander, General Dempsey. We all talked together. And I said, in your professional

opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq? And they all said no."

But the decider wasn't listening. The reason is because we want the Iraqis to do more. It is easy for the Iraqis to rely on us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future.

The President didn't like what he had heard, the decider being an adherer to the military chain of command, so General Abizaid is being shown the door. As a Lebanese American who is fluent in Arabic, I think his understanding of the region far exceeds that of any of the advisers that the President may be depending upon to make this misguided proposal to escalate the war.

General Casey has also been removed as commander of U.S. forces in Iraq. It started with General Shinseki, who told the President he would need 500,000 troops to occupy the country and avoid the abyss into which we have fallen, a civil war, insurrection, insurgency. He also was fired because the decider didn't believe his advice.

It is time to change course in Iraq.

And the President is not only continuing a failed policy and sending more U.S. troops to a mission that is very unlikely to succeed, according to the advice of his uniformed commanders, who he is ignoring, he is also going to undermine the effort in Afghanistan.

Things are going bad in Afghanistan. Remember, that is where Osama bin Laden planned 9/11. That is where the Taliban supported and harbored al Qaeda and Osama bin Laden. We, with NATO and the world behind us, decided to take them out. Remember that? Osama bin Laden, dead or alive; dead or alive. You don't hear that from the White House much anymore.

But Osama bin Laden is still planning attacks on the United States, and the one-eyed Omar is coming back to Kandahar. They are planning a spring offensive. They didn't withdraw this winter. The NATO forces are ineffectual. And what is the President's response? He is going to withdraw U.S. troops from that region.

So we have the heart of darkness, Afghanistan, and the President is ignoring that problem to continue his failed policies in Iraq. No escalation of the war in Iraq by the adherer-decider, President Bush.

SUPPORT THE SAFE ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

Mrs. MCCARTHY of New York. Mr. Speaker, earlier this week, unfortunately, violence has struck our schools again. Unfortunately, this has been an increasing trend. In the past several

years, we have seen countless incidents across the Nation.

School violence is not limited to urban areas. Acts of bullying and other violent crimes occur in schools across the Nation on a daily basis. We must do something to stop this growing trend.

Our current reporting system on school violence is severely flawed. Under current law, school violence stats are collected through surveys and self-reported data. This data is not the most current data available and does not provide an accurate view of the situation.

The FBI has developed a system of reporting that is both comprehensive and up to date. This system is referred to as the NI-BERS System. It collects the data, details of crime incidents, and is a much greater tool to prevent school violence. Accurate data is valuable to addressing this issue. It allows our school administrators to see the true impact of school safety programs and it provides the basis for need-based school funding.

In response to these issues, I have introduced the Safe Schools Against Violence in Education Act. My bill, referred to as the SAFE Act, moves reporting data from surveys to real crime stats in the NI-BERS System. This move will allow schools to accurately address school safety issues.

It will also ensure that funding is allotted to the schools that need it the most. Our schools do not have the resources that they need to combat school violence. President Bush has constantly cut funding for the Safe and Drug Free Schools Program. These cuts have left our already-overburdened schools without the money needed to stop school violence.

The SAFE Act will restore funding for our schools through a need-based grant program. Schools that do not have a safe climate will receive grants from the Department of Education. That money will be used to update school safety programs to curb the needless acts of violence and make our schools safer for our children. If we are serious about school safety, we must not only implement new reporting measures but must fully fund our schools.

The SAFE Act is endorsed by the National Parent and Teachers Association, the American Federation of Teachers and the National School Safety and Security Services.

Congress has sat and watched as schools across the country have attempted to deal with school violence with insufficient data and little to no funding. We tried to correct this in Leave No Child Behind. So as we reauthorize Leave No Child Behind this year, I am hoping we will be able to implement a better program. We have an opportunity to change the way we handle school violence in this country and truly make our schools safe.

We see and hear every day about the violence, when our children are in

school and do not feel safe, and I have talked to so many teenagers and middle school students that say that many times they do not feel safe in school. We can do something, but we need a better way of reporting it.

□ 1745

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SHUSTER) is recognized for 5 minutes.

(Mr. SHUSTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

SECURITY FOR AMERICANS AT HOME AND ABROAD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, yesterday, the House passed H.R. 1, a bill instituting the 9/11 Commission's recommendations. I am proud that the Speaker made this her first priority. It was an important first step. It was a step to strengthen America's security.

Another step we can take to provide security to Americans at home and abroad is to bring our troops home from Iraq. It is what I have been saying for several years now. In fact, this is my 176th 5-minute special order on Iraq. And it is what the American people demanded on November 7.

From the very beginning, our presence and continued occupation has brought strong opposition and violence to Iraq. The Vice President promised we would be greeted as liberators, that the troops would be hailed with cheers and flowers. Instead, the sad thing is our troops are being greeted with snipers, with rocket-propelled grenades and with roadside bombs.

Tonight, the President will announce an escalation in the occupation. He wants to send over 20,000 more troops to Iraq. In fact, we have learned just today that those troops are already arriving in Baghdad. He wants to put over 20,000 more troops in harm's way. And for what?

Tonight, the President will not announce an exit plan. Tonight, the President will not talk about benchmarks. Tonight, what the President will do is support more of the same. This is just "stay the course." Let's call it what it is: an escalation.

A majority of Americans support bringing the troops home. In fact, a recent poll showed that a majority of men and women in uniform support an end to this occupation. And yet the President wants more troops and refuses to put forth a plan to end our military presence there.

Well, the American people and the Congress have waited long enough, Mr. Speaker, for the Commander in Chief to do his job. So, on Friday, the Progressive Caucus and the Out of Iraq Caucus will host a forum with former

Senator George McGovern and Dr. William Polk on one such plan. This is a unique opportunity for Members to discuss available options. I encourage my colleagues to join us at this forum on Friday, day after tomorrow, at 9:30 in the Cannon caucus room.

We know there is no quick solution to put Iraq and the region back together again. But until we start to seriously consider the plans out there, we are stuck with President Bush's escalation and status quo. And you know what? Because I respect the troops and I respect their families so very much, I refuse to "stay the course."

So I tell the President: No, no to escalation. I tell the President: No, no to the status quo. And I say: Yes, yes to strengthening our Nation by protecting those who have already given so very much and bringing them home to their families.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE IRISH PEACE PROCESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, first let me say how happy I am to see our Speaker, the gentleman from New Jersey, who I would mention to my colleagues was the Speaker of the General Assembly in the State of New Jersey, so he certainly knows what to do in the Speaker's chair. Great to see you up there this evening.

I come to the floor this evening to once again call on Dr. Ian Paisley and the Democratic Unionist Party to support peace and justice in Northern Ireland and not get in the way of creating a truly devolved government. I call on my colleagues to support the "New Beginning" policy envisioned in the Good Friday Agreement and the subsequent Patten Report, even as Northern Ireland tackles the controversial issue of setting up a fair and effective criminal justice system.

British Prime Minister Tony Blair has called Sinn Fein's leadership under President Gerry Adams "remarkable," and I certainly agree. Despite a long history of unfair treatment and attacks by unionist paramilitaries and others, Sinn Fein is moving down the path to devolution by supporting the Police Service of Northern Ireland and working with the criminal justice system.

In order for the citizens of Northern Ireland to have a police force they can respect and cooperate with, they need to be assured that power sharing will be restored and officials will ensure

sufficient accountability to prevent the types of abuses that have plagued the Catholic community in the north for so long.

Mr. Speaker, the community of Northern Ireland and all of the political parties must be involved in the process to create a New Beginning to Policing. Since the Patten Commission Report in September 1999, much progress has been made in terms of increased recruiting of Catholic officers, establishment of district policing boards, and increased oversight and accountability of the police service. The St. Andrews Agreement, issued this past year, showed that the path to restoring critical political institutions should include support for and devolution of policing.

Sinn Fein has taken the bold step of moving forward to support the policing institutions, and now Dr. Paisley seems to want to stay in the past instead of recognizing that it is time to move forward with a police service and a government that respects and represents all the people of Northern Ireland.

Mr. Speaker, I again commend Gerry Adams, the leadership of Sinn Fein, Prime Minister Blair, and the Taoiseach, Bertie Ahearn, for all their hard work and courage in moving the peace process forward. It will not be easy to overcome the troubling history of discrimination and distrust between communities in Northern Ireland. I hope, however, that Dr. Paisley and the membership of the Democratic Unionist Party will put aside the politics of the past and become a partner in moving towards a just and lasting peace in Northern Ireland.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. ADERHOLT) is recognized for 5 minutes.

(Mr. ADERHOLT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE WAR IN IRAQ, LATINOS AND TROOP ESCALATION PLAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Mr. Speaker, good evening to you and to those families that are listening to us tonight.

I believe our Nation needs a policy to secure and stabilize Iraq, one that constructively engages in diplomacy and partners with neighboring countries and the region to create a stable and peaceful Nation in Iraq.

Unfortunately, President Bush missed the opportunity to set the United States on a new course in Iraq. Without a plan to secure the peace and stabilize Iraq, President Bush's plan will do nothing but unnecessarily risk the lives of more U.S. servicemen.

I have here displayed 13 of those service members who represent my district,

most of whom, if you can look through each, are under the age of 30 and who left families, parents and children. They went to serve our country with honor, no doubt, but many of them enlisted in the Reserve and the Guard hoping that they would come back to get a college education, to have a better life, to be able to get housing and to get health care for their families. Unfortunately, that dream is not true for many of them.

There are approximately, at this time, 132,000 U.S. troops serving in Iraq. This war, as you know, is having a significant impact on our families and our communities. Last December was the deadliest month of the war in over 2 years. U.S. casualties have exceeded well over 3,000 lives, and more than 22,700 servicemen and women have been permanently injured or disabled. Nearly half of those will not be able to lead a normal life.

While Latinos make up just about 12 percent of the U.S. population, they make up 17 percent of the service men and women in combat in Iraq, and about 11 percent of those have already been killed.

In the District that I represent in California, we have lost these young men. Sadly, Latinos, both citizens and noncitizens, and I mean those that carry green cards, are proudly there to serve our country, but we need to do more for them.

In 2001 to 2005 alone, the number of Latinos in the Army who enlisted rose by 26 percent. There are currently 35,136 green card soldiers proudly serving our country today. An additional 28,000 have become U.S. citizens since 9/11, and 73 have been granted citizenship after death.

This includes one of my very own, who was a fallen soldier early in the war, a young man, Lance Corporal Francisco Martinez, in the Marines, representing the City of Duarte in the San Gabriel Valley. His service to this Nation is countless. He was not even a U.S. citizen. He gave his life and was granted posthumous citizenship. But we need to do more for our soldiers than that.

The plan the President is going to speak to us of tonight ignores the real needs of our troops and the reality of the situation. Three times in the past 2 years President Bush has increased the number of troops in Iraq. Three times the approach has failed. From November 2004 to March 2005, the level of U.S. troops increased from 12,000 to 150,000. The increase did nothing to improve long-term security.

During the constitutional referendum in the fall of 2005, troop levels increased by 22,000 soldiers, for a total of more than a 160,000 American service men and women in Iraq. Again, this increase, while limiting major violence during the referendum, did nothing to improve the long-term security in that particular area.

During Operation Together Forward, the Bush administration sent additional troops to Baghdad. The U.S.

military spokesman, General William Caldwell, stated this effort was a failure and had "not met our overall expectations for sustaining a reduction in the level of violence."

Each of these instances has something in common. Each failed to improve the long-term security situation and the violence and death toll, which continues to rise. Even the Commander of U.S. Central Command has testified that top military commanders in Iraq do not believe increasing the number of troops is the right approach. He stated, in fact, more American forces prevent the Iraqis from doing more, from taking more of their own responsibility.

We know the solution is not to send more troops to Iraq without a real plan to secure the peace. Fifty-five percent of Americans do not believe more troops can secure Baghdad, and 59 percent of Americans want redeployment of American forces, this includes two-thirds of the Latino population, who want our troops brought home. A study done by the Pew Hispanic Center found that 75 percent of Latinos now believe that the U.S. made the wrong choice in using military force in Iraq.

Americans, as you know, voted November 7 for a new direction in Iraq, and we must deliver that promise. Our Nation needs a policy to secure and stabilize Iraq, one that constructively engages in diplomacy and partners with our neighbors there. We need a plan that ensures that there are no permanent U.S. military bases in Iraq and a plan to decrease the U.S. presence there. We need a plan which investigates and punishes companies like Halliburton engaged in war profiteering and fraud, like the \$1.4 billion in unreasonable and unsupported charges by Halliburton which the Defense Contract Audit Agency identified.

We need a policy and a plan to put welfare of our service men and women first so that they come home, rejoin their families and receive the care that they deserve. This should also include services for all of our veterans, both men and women.

□ 1800

The SPEAKER pro tempore (Mr. SIREs). Under a previous order of the House, the gentleman from Michigan (Mr. STUPAK) is recognized for 5 minutes.

(Mr. STUPAK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ESCALATION OF TROOPS IN IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WATERS) is recognized for 5 minutes.

Ms. WATERS. Mr. Speaker and Members, I come to the floor of the House this evening in advance of the President's speech that is scheduled for, I think, 9 p.m. this evening, where the President is going to announce his new

approach to dealing with the debacle that he has created in Iraq. He has coined it, "New Way Forward." He has referred to it as a surge, but we all know what this is. This is an escalation.

The President of the United States is probably going to announce that the surge has already started. There are reports in the news already that about 90 advanced troops from the 82nd Airborne will arrive in Baghdad today, I believe. And so this so-called surge that the President has begun is one that is taking place without the support of the American people, without the support of many of the Members of Congress on both sides of the aisle.

Americans, and elected officials, in particular, are sick and tired of being misled, of not being told the truth, and trying to explain to our constituents what this war in Iraq is all about. Americans, basically, have come to the conclusion that this war has been mismanaged, that they have not been told the truth, that there were no weapons of destruction.

Oh, there were promises made. We were told by Mr. Rumsfeld that we would be welcomed with open arms; we would be seen as the liberators. The Iraqis see us as occupiers, and they want us out of their country.

We were told that we didn't have to worry about the cost of this war because there would be profits from the oil in Iraq that would not only help pay for the war but it would help to reconstruct the damage that has been done to Iraq by the occupation.

Oh, we were told not only would we have oil resources that would repay or pay for some of this damage, we were told that enough troops were going to be, Iraqi troops were going to be trained and that the numbers were growing and that they would soon be able to take over the security of Iraq.

None of that has happened. As a matter of fact, what we are finding is that our troops are being deserted in times of crisis and confrontation by Iraqi soldiers, that they are being undermined, oftentimes, by Iraqi soldiers, and that our troops don't know a Shiite from a Sunni from a Kurd. And they are very much so in harm's way because they really don't know what they are fighting, why they are fighting and why they are in Iraq.

But this President plans on sending about 24,000 U.S. troops to Iraq. Five brigades of U.S. troops, about 20,000 soldiers will be deployed to Baghdad to suppress sectarian violence. An additional 4,000 troops will be sent to the Anwar Province to pursue insurgents.

Responsibility for security, he says, in all of the country's provinces will be turned over to Iraqi forces by November 2007. Oh, haven't we heard those kinds of promises before.

How can we put any faith in the President of the United States, the Commander-in-Chief, who first refused to send adequate numbers into the war? They were being told by their

commanders and their generals that they needed more troops, but, no, Mr. Rumsfeld convinced, I suppose, this President that we didn't need it, and so we didn't send them. And now, at the 12th hour, we are talking about sending more troops.

It is too late. It is too late to have this escalation. We have lost. We have mismanaged. We have created an untenable situation, and there is a civil war going on in Iraq, and we can't manage it. We cannot undo the harm that we have created, and it does not make good sense to send our troops into harm's way.

Not only is our Commander-in-Chief sending more troops, the length of Army deployments will be increased from 12 months to 15 months. Marine deployment will be increased to 12 months from 7 months. In addition, the amount of time they spend at home to rest before returning to Iraq will be shortened.

Mr. President, mothers, fathers and families want their children and their relatives home.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE PRESIDENT'S TROOP SURGE IS TANTAMOUNT TO AN ESCALATION OF THE IRAQ WAR AND WILL NOT MAKE AMERICA OR IRAQ SAFER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank you for your leadership and presence during this important debate and discussion.

I almost don't know where to start. Because when you begin to discuss the issue of Iraq, you must be very cautious.

One, the constitutional premise is that the President is the Commander-in-Chief. The immediate inquiries of the press of how are you going to translate the vote of the American people into action, you are just the Congress; the Commander-in-Chief has every right to command the troops. And might I say that this President has commanded the troops. As I visited Afghanistan and Iraq, every one of those soldiers has stood up and said, I was willing to come and follow the orders of my Commander-in-Chief. I respect them, thank them, thank their families.

That is why I feel a special obligation to begin to renew the energy and the outrage that many of us expressed during the debate of 2002 when we had hoped that we would have secured

enough votes to oppose the attack on Iraq.

But I am not here to recapture past failures or successes. What I am here to say is that it is imperative, it is the demand that the American people have made. Not that we follow opinion polls. For if you look at the opinion polls, 57 percent of the American people are dissatisfied with the way Iraq has been handled. Larger numbers than that are not supporting the escalating of the war.

So many might say, as I imagine the Commander-in-Chief will say tonight, I am not here to follow opinion polls. I do say that any elected person has a right to define their own anchor.

But what we are here to do is do right by the American people. We are here to do right by the 22,000 maimed soldiers who have returned who are in the Nation's hospitals, who we have not seen, with amputated arms and legs, those that I have seen in MASH units with imploded brains because of the IEDs. We are here to do right by the 3,000 plus who have died and the families who are mourning their loss. We are here to do right by the soldiers who have said, send me.

I believe that the plan that the President will offer tonight is a misdirected plan. It is a wrong plan. And let me tell you why. Upping or plussing or surging the troops should have happened 3 years ago. This is a war that has lasted longer than World War II. The idea of more troops without a mission is not effective.

Listen to the generals who have testified before our committees. Listen to the generals who have now been given early retirement, who did not agree with the plussing up. Why is it that the President has often said, I will listen to my generals, and all of a sudden these generals have been deposed?

And then, of course, the question is a realistic question. Twenty thousand troops for the city of Baghdad, now captured by the civil war? Not 20,000 troops to help us in Mosul or Tikrit, but 20,000 troops to go to Baghdad, a city like Mexico City, or a city that is like another, a huge teeming city, 25 million plus. And our soldiers will now be the police officers knocking on doors looking to drag people out of their houses. That is not a military operation.

And then, of course, let me say to you that we did an operation upsurge or plus from June to October 2006. The purpose was to secure Baghdad. But as the Baker Commission has indicated, and I hope the President has read, this is a sectarian civil war. There is a need for diplomacy instead of or in front of a military action.

I passed an amendment that said that the redeployment or the number of times that you have been redeployed should be taken into consideration before you are being called up. None of that will occur.

We don't have 20,000 troops; and our soldiers have been over two times,

three times, four times, more than any occurrence in Vietnam. In order to get the 20,000, we must redeploy soldiers who have been on the battlefield, who are battle worn, not individuals who refuse to serve their country but are battle worn and battle torn.

What are we for? I am for the rebuilding of the military. I am for the replenishing of our equipment. I want us to be strong on defense. But I am not for an escalating war that has no mission and no end.

We must have political diplomacy. We must not send our soldiers. We must have a new direction.

Mr. Speaker, I come to the floor today to speak on the most critical issue facing our country, the war in Iraq. This misguided, mismanaged, and costly debacle was preemptively launched by President Bush in March 2003 despite the opposition of me and 125 other Members of the House. To date, the war in Iraq has lasted longer than America's involvement in World War II, the greatest conflict in all of human history.

The Second World War ended in complete and total victory for the United States and its allies. But then again, in that conflict America was led by a great Commander-in-Chief who had a plan to win the war and secure the peace, listened to his generals, and sent troops in sufficient numbers and sufficiently trained and equipped to do the job.

Mr. Speaker, I say with sadness that we have not that same quality of leadership throughout the conduct of the Iraq war. The results, not surprisingly, have been disastrous. To date, the war in Iraq has claimed the lives of 3,015 brave service, men and women, 115 in December and 13 in the first 9 days of this month. More than 22,000 Americans have been wounded, many suffering the most horrific injuries. American taxpayers have paid nearly \$400 billion to sustain this misadventure.

Based on media reports, tonight President Bush will not be offering any new strategy for success in Iraq, just an increase in force levels of 20,000 American troops. This reported plan will not provide lasting security for Iraqis. It is not what the American people have asked for, nor what the American military needs. It will impose excessive and unwarranted burdens on military personnel and their families.

Mr. Speaker, the architects of the fiasco in Iraq would have us believe that "surging" at least 20,000 more soldiers into Baghdad and nearby Anbar province is a change in military strategy that America must embrace or face future terrorist attacks on American soil. Nothing could be further from the truth, as we learned last year when the "surge" idea first surfaced among neoconservatives.

Mr. Speaker, the troop surge the President will announce tonight is not new and, judging from history, will not work. It will only succeed in putting more American troops in harm's way for no good reason and without any strategic advantage. Troop surges have been tried several times in the past. The success of these surges is, to put it charitably, has been underwhelming. Let's briefly review the record:

1. Operation Together Forward, (June–October 2006): In June the Bush administration announced a new plan for securing Baghdad by increasing the presence of Iraqi Security Forces. That plan failed, so in July the White

House announced that additional American troops would be sent into Baghdad. By October, a U.S. military spokesman, Gen. William Caldwell, acknowledged that the operation and troop increase was a failure and had "not met our overall expectations of sustaining a reduction in the levels of violence." [CNN, 12/19/06. Washington Post, 7/26/06. Brookings Institution, 12/21/06.]

2. Elections and Constitutional Referendum (September–December 2005): In the fall of 2005 the Bush administration increased troop levels by 22,000, making a total of 160,000 American troops in Iraq around the constitutional referendum and parliamentary elections. While the elections went off without major violence these escalations had little long-term impact on quelling sectarian violence or attacks on American troops. [Brookings Institution, 12/21/06. www.icasualties.org]

3. Constitutional Elections and Fallujah (November 2004–March 2005): As part of an effort to improve counterinsurgency operations after the Fallujah offensive in November 2004 and to increase security before the January 2005 constitutional elections U.S. forces were increased by 12,000 to 150,000. Again there was no long-term security impact. [Brookings Institution, 12/21/06. New York Times, 12/2/04.]

4. Massive Troop Rotations (December 2003–April 2004): As part of a massive rotation of 250,000 troops in the winter and spring of 2004, troop levels in Iraq were raised from 122,000 to 137,000.

Yet, the increase did nothing to prevent Muqtada al-Sadr's Najaf uprising and April of 2004 was the second deadliest month for American forces. [Brookings Institution, 12/21/06. www.icasualties.org. USA Today, 3/4/04]

Mr. Speaker, stemming the chaos in Iraq, however, requires more than opposition to military escalation. It requires us to make hard choices. Our domestic national security, in fact, rests on redeploying our military force from Iraq in order to build a more secure Middle East and continue to fight against global terrorist networks elsewhere in the world. Strategic redeployment of our armed forces in order to rebuild our nation's fighting capabilities and renew our critical fight in Afghanistan against the Taliban and al-Qaeda is not just an alternative strategy. It's a strategic imperative.

Mr. Speaker, it is past time for a new direction that can lead to success in Iraq. We cannot wait any longer. Too many Americans and Iraqis are dying who could otherwise be saved.

I believe the time has come to debate, adopt, and implement the Murtha Plan for strategic redeployment. I am not talking about "immediate withdrawal," "cutting and running," or surrendering to terrorists, as the architects of the failed Administration Iraq policy like to claim. And I certainly am not talking about staying in Iraq forever or the foreseeable future.

I am talking about a strategic redeployment of troops that:

Reduces U.S. troops in Iraq to 60,000 within six months, and to zero by the end of 2007, while redeploying troops to Afghanistan, Kuwait, and the Persian Gulf. Engages in diplomacy to resolve the conflict within Iraq by convening a Geneva Peace Conference modeled on the Dayton Accords. Establishes a Gulf Security initiative to deal with the aftermath of

U.S. redeployment from Iraq and the growing nuclear capabilities of Iran. Puts Iraq's reconstruction back on track with targeted international funds. Counters extremist Islamic ideology around the globe through longterm efforts to support the creation of democratic institutions and press freedoms.

As the Center for American Progress documents in its last quarterly report (October 24, 2006), the benefits of strategic redeployment are significant:

Restore the strength of U.S. ground troops. Exercise a strategic shift to meet global threats from Islamic extremists. Prevent U.S. troops from being caught in the middle of a civil war in Iraq. Avert mass sectarian and ethnic cleansing in Iraq. Provide time for Iraq's elected leaders to strike a power-sharing agreement. Empower Iraq's security forces to take control. Get Iraqis fighting to end the occupation to lay down their arms. Motivate the U.N., global, and regional powers to become more involved in Iraq. Give the U.S. the moral, political, and military power to deal with Iran's attempt to develop nuclear weapons. Prevent an outbreak of isolationism in the United States.

Mr. Speaker, rather than surging militarily for the third time in a year, the president should surge diplomatically. A further military escalation would simply mean repeating a failed strategy. A diplomatic surge would involve appointing an individual with the stature of a former secretary of state, such as Colin Powell or Madeleine Albright, as a special envoy. This person would be charged with getting all six of Iraq's neighbors—Iran, Turkey, Syria, Jordan, Saudi Arabia, and Kuwait—involved more constructively in stabilizing Iraq. These countries are already involved in a bilateral, self-interested and disorganized way.

While their interests and ours are not identical, none of these countries wants to live with an Iraq that, after our redeployment, becomes a failed state or a humanitarian catastrophe that could become a haven for terrorists or a hemorrhage of millions more refugees streaming into their countries.

The high-profile envoy would also address the Israeli-Palestinian conflict, the role of Hezbollah and Syria in Lebanon, and Iran's rising influence in the region. The aim would not be necessarily to solve these problems, but to prevent them from getting worse and to show the Arab and Muslim world that we share their concerns about the problems in this region.

Mr. Speaker, the President's plan has not worked. Doing the same thing over and over and expecting a different result is, as we all know, a definition of insanity. It is time to try something new. It is time for change. It is time for a new direction.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Vermont (Mr. WELCH) is recognized for 5 minutes.

(Mr. WELCH of Vermont addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms.

MILLENDER-MCDONALD) is recognized for 5 minutes.

(Ms. MILLENDER-MCDONALD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

TIMES ARE CHANGING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. COHEN) is recognized for 5 minutes.

Mr. COHEN. Mr. Speaker, ladies and gentlemen that were watching or here in the gallery, I am a freshman Congressperson. I am from Tennessee. And last March I came up and I stood in that gallery and I looked down at this body and I wondered if I wanted to be a part of it. The decision was made partially by me by filing for office and waging a campaign. But the decision was eventually made by my voters in the 9th District in Tennessee who elected me. They elected 49 new Congresspeople, 41 of which are Democrats; and we have just completed our first week in office.

I felt like it was appropriate at the finish of this week, Mr. Speaker, to give some type of report to the people of what we have experienced as freshman Congresspeople. I don't come here like Alexander Haig might have and assume control. We have that freshman president, and I am not that freshman president, nor did I seek to be one. It is PAUL HODES from New Hampshire who is a very fine freshman legislator.

But a lot has happened in this week. We all came up here with a lot of interest in seeing America be better. And America is better. In just the one week we have been here, we have been privileged to be a part of this body. We have seen the first lady ever elected Speaker of a legislative body of this nature in the United States elected, NANCY PELOSI. It was a historic moment.

And earlier today one of our freshmen, Congressman BILBRAY, talked about the fact that some years ago on this date the resolution was introduced to give women the right to vote. That resolution passed in my home State of Tennessee in 1920, when Tennessee was the perfect 36, and gave women the right to vote.

It has been a long time, and a change was coming, and a change has happened. And it is great to have a woman, an opportunity seen with the election of NANCY PELOSI.

This week, we have seen changes in the way lobbyists and legislators relate, and that is one of the reasons why I think Congress has one of the worst reputations of any collective group of professionals or government officials in this country and why some of us were elected, to see a change in that culture. And ties were cut between lobbyists and legislators which never should have existed. I was proud to vote for that and see that as part of the 100 hours of change that the Democratic leadership is bringing about.

The PAYGO policy brings some fiscal sanity to what has otherwise been a kind of runaway process where this country is in great economic distress. We have had three different bipartisan groups that we have had orientation sessions with. In each one of those classes we have been told that our economic situation is dire. The same about our foreign policy and the same about our environment and our health care system.

There are difficult times in America. It seems good, but it really isn't. The underpinnings are not there.

This week PAYGO is important. Cutting the ties between legislators and lobbyists was important. And it was also extremely important what we did today. We passed the minimum wage.

And I can't go without quoting President Franklin Roosevelt, one of my heroes, who said, "The test of our progress is not whether we add more to the abundance of those who have too much; it is whether we provide enough for those who have too little." Today we provided for those that have too little and we did right.

And I want to quote Hubert Humphrey, a great American whose bust I looked at outside of the Senate, looked at with reverence. "The moral test of government is how it treats those who are in the dawn of life, the children; those who are in the twilight of life, the aged; and those who are in the shadows of life, the sick, the needy and the handicapped."

I think in the tradition of some great Americans we have acted today on the minimum wage. We will act on stem cell research and other issues. And we've acted on the 9/11 Commission reports. Most of this was done in a bipartisan manner. Not all of it.

And it has given me the opportunity, which I want to take today, to quote a line which I have read for years and thought about when I thought about these halls, not thinking of myself being a Member of this body, which is a great honor coming to me at a late time in life, after spending 24 years in the Tennessee State Senate.

"Come Senators, Congressmen, please heed the call. Don't stand in the doorway, don't block up the hall."

□ 1815

For he who gets hurt will be he who has stalled. There's a battle outside and it's raging. It'll soon shake your windows and rattle your walls. For the times they are a changin'. Bob Dylan, Robert Zimmerman, was right. The times they are a changin'.

There is a Democratic majority. I am proud to be of it, as are 41 other freshmen. I can testify today that America is in better shape than it was a week ago.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIRE). The gentleman is reminded to

refrain from referring to persons in the gallery.

CONGRATULATIONS ANNIE LEE BOGGS LATIMER ON HER 100TH BIRTHDAY

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. PRICE of Georgia. Mr. Speaker, Annie Lee Boggs Latimer was born in Milton County, now a portion of Fulton County in north Georgia on January 10, 1907, to Elizabeth and Ben Boggs 100 years ago today. She grew up on a farm on Boggs Road with eight siblings, Glenn, Mary, Frank, Frances, Walter A., Nettie, Ruth and Dorothy, off what is now I-85 in Gwinnett County, Georgia.

She attended Duluth High School, Young Harris College and the University of Georgia and went on to become a beloved teacher in Gwinnett and Cobb counties for over 30 years. On June 12, 1937, she married William B. Latimer, and for over 50 years, they lived in what all knew as the "Rock House" in Duluth, Georgia. Anne and Bill were married for a wonderful 61 years until his passing in 1998.

She is the proud mother of Ben W. Latimer and the mother-in-law of Rachel H. Latimer. She is an inspiration for her two grandsons and their wives, Bill and Lynn and Mike and Laura, and adored by her five great grandchildren Brian, Sara, Claire, Gabrielle and Andrew. She is known affectionately by her family as "Mama Anne" and by her friends at church as "Miss Anne."

She has imparted wisdom and positive values to all the many students who were in her classes and benefitted from her teaching. Mama Anne is a guiding light for all her family and always brings love, direction, caring and support.

Mr. Speaker, I know the U.S. House of Representatives joins me in sending our very best on the occasion of her 100th birthday to Anne B. Latimer and recognizing her life as a role model to all for achieving independence, longevity and success, by living the American dream of spirituality, community, hard work, and accomplishment.

I am very privileged, Mr. Speaker, to have had the opportunity to recognize one of America's greatest citizens.

THE OFFICIAL TRUTH SQUAD

The SPEAKER pro tempore. The gentleman from Georgia (Mr. PRICE) is recognized for 60 minutes.

Mr. PRICE of Georgia. Mr. Speaker, I am going to shift gears a little bit right now and just recount a bit of this past week. This has been a remarkable week, first week of a new majority.

For the record, the first 100 hours of this new majority, and for the record, Mr. Speaker, you ought to know that the Speaker's Office officially states that we have been in session dealing with the issues of importance to the

American people for 12 hours and 28 minutes. That is over 4 days. That turns out to be about 3 hours and 7 minutes a day.

Now, if you count the actual time that we have been in session, which I think is important, because if you are going to promise that you are going to do things in 100 hours, then you dog-gone well better do it, and actually, we have been in session now at 6:18 p.m., 38 hours and 21 minutes, 38 hours and 21 minutes.

We are keeping track of the right clock. So for all those folks out there, we want you to know that The Official Truth Squad is keeping an eye on the majority party and making certain that they live up to their promises.

We have dealt with some remarkable issues during the first 38 hours that we have been in session. We have dealt with the minimum wage today in a way that left a lot to be desired in terms of bringing about that wonderful bipartisan spirit that has been promised but not seen yet by the majority party. We have dealt with the 9/11 recommendations. As you recall, Mr. Speaker, before the election, the new majority party, the leaders of that party, promised that they would enact every single recommendation of the 9/11 Commission.

Well, that bill has come and gone without any input from the minority party. As you know, you know very, very well what happened was not the enactment of every single 9/11 recommendation, because promises made on the campaign trail don't appear to be promises that will be kept in the majority.

These are important issues. We have got two more issues to go this week. They are extremely important issues to the American people.

The issue of stem cell research, embryonic stem cell research, which is an incredibly important issue, a complex issue, a scientific issue and one, again, that I am very distressed and concerned is not being dealt with in an open and honest way that has been promised, nor is it being dealt with, certainly, in a bipartisan way.

We also have this week the issue of Medicare part D prescription drug program that is in place for Medicare recipients, and that, too, is being dealt with in a way that doesn't allow for any input from the minority party, doesn't allow for any amendments, isn't being heard in committee.

The gentleman before me mentioned that there were a number of freshmen Members of this body, and there are, there are 54 Members of this body who are now here for the very first time, freshmen Members. They haven't dealt with any of these issues.

Mr. Speaker, a majority of this House is not being allowed to deal with the issues that are coming to the floor right now, because they are being done in secret. These bills are being written in secret without input from anybody on the minority side and certainly

without any input from any of the new Members of Congress.

So the Official Truth Squad is here to make certain that we hold accountable for the majority party, for the promises that they made and make certain that the American people understand and appreciate what is occurring in Washington under this new martial law rule that we have for bringing issues to the floor.

The Official Truth Squad has one of our favorite quotes, we have a lot of favorite quotes. One of them is from the late Senator Daniel Patrick Moynihan, who had one of the most wonderful and appropriate quotes for this building that I know of, and that is that everyone is entitled to their own opinion but not their own facts.

So what we would like to do this evening, Mr. Speaker, is to talk a little bit about some facts, some facts as they relate to the two issues, Medicare part D prescription drug program and stem cell research, embryonic stem cell research.

Now decisions made regarding Medicare part D and the discussion that we are having, many people will think, well, it is just about a narrow prescription drug program for Medicare. In fact, Mr. Speaker, it is about a whole lot more than that.

If you back up from the specific debate about prescription drugs and you look at what is really being done, what is happening is that we have a difference of opinion, a philosophical difference of opinion about who ought to be making very personal health care decisions for the American people.

On the other side of the aisle, on the majority side of the aisle, we apparently have a majority of those individuals who believe that the government ought to be making those decisions, personal health care decisions. On the minority, on the Republican side of the aisle, we are proud to say that we support health care decisions, medical decisions being made between physicians and patients. That is where those decisions ought to be made.

In fact, when you look at this whole issue right now, it is important to ask exactly what it is that the Democratic majority is attempting to solve.

When you look at this program that has been in place now just a few short years, the costs are down. In fact, the costs are down for the last year, \$13 billion, \$13 billion. Actual costs of benefits in 2006 are 30 percent or \$13 billion less than was projected.

The projected costs over 10 years are down 21.3 percent, which is \$197 billion. That is a fact. That is a fact. Premiums are down 40 percent over projections, again a fact. If we would listen to the Democrats on this issue, when the bill was enacted, they attempted to put into law that premiums ought to be for every Medicare recipient, \$35 a month. They wanted to make certain that they were \$35 a month.

So what are the premiums now? They are about \$22, \$23 a month on average.

If we had listened to them when this was enacted a couple of years ago, every single senior would be paying on average \$12 a month more for their prescription medication.

I would suggest that if the past is prologue, that we ought to be very careful about what is coming to the floor this week as it relates to Medicare part D. Beneficiaries, those who are using the plan and benefitting from the plan, over 80 percent of them, are supportive and satisfied with the program. That is with nearly 90 percent of those eligible being supportive.

Again, people are entitled to their own opinion, but they are not entitled to their own facts. The costs are down. Access is expansive. Medications are being covered across the whole spectrum of disease. And seniors are happy.

I ask, Mr. Speaker, what is it that the Democratic majority is attempting to fix? What problem are they trying to solve?

I am pleased to be joined tonight by a number of colleagues to talk about both of these issues. As we talk about Medicare part D, I am pleased to welcome my good friend, Congressman PATRICK MCHENRY, from the great state of North Carolina who has great experience in representing individuals and understanding and appreciating the importance of bringing truth to debate.

I welcome you, Congressman MCHENRY.

Mr. MCHENRY. Thank you, Congressman PRICE, thank you, Dr. PRICE. As an expert on medical subjects and as someone who has treated thousands of patients over his career and saved hundreds of lives as well, a humble doctor would not say that; that is why I must say that for you here tonight, TOM, because you have done a fantastic job of leading our agenda as someone who is very engaged in these medical issues that are so important to all Americans, these large health care issues that affect every American.

Today we have had a lot of debate here on the floor about minimum wage, about raising the minimum wage. But what is omitted from the Democrat's 100-hour agenda and from this debate about raising the minimum wage is a matter of access to health care.

It was a Republican Congress that instituted Medicare part D, and which provided a prescription drug benefit for the first time for seniors. There was a lot of debate before Congressman PRICE and I came to Congress about the structure of that and how it is going to work. We were not a part of that debate because we were not here yet, but we were affected by it as Americans and as policymakers here in Washington D.C.

But looking back at that record, Congressman PRICE brought up a very, very strong point. As they are going through the committee process, now close to 4 years ago, 3 to 4 years ago, the Democrats wanted to guarantee that all Americans would pay \$35 per

month for their insurance premium to get the Medicare part D prescription plan.

Well, they wanted a guarantee of \$35, and they said that the Republican plan was going to be too costly, too expensive. The Republicans said, you know, what if we actually put this out into the free market and provide this plan through market-based forces; in essence saying you can compete between different plans, different companies can offer this prescription drug benefit, and so they go out and they compete for seniors' business? That means a couple of different things.

Instead of waiting in line at the Social Security office for the government, because there is no competition because we are government, waiting for hours, or waiting on hold for hours with a government agency, you have these individual plans. These businesses want to keep the business of seniors so they provide better customer service.

But the additional thing, rather than some government bureaucrat sitting here in Washington, D.C., saying you can take Lipitor but not Crestor to reduce your cholesterol numbers.

Well, as a nonmedical expert, I don't know the details of how these medications work, but those are the types of people, without a medical background, making the decisions on who has access to those types of medicine. But the plan we put in place is a little different. The plan we put in place said, we are going to have competition in the marketplace.

These plans say to seniors, we will give you choices, choices. Do you want to pay \$35 a month and have a choice of any medication you want, period, or do you want to have a more limited plan with fewer choices but you will pay less per month?

But seniors get to make that choice, not some bureaucrat sitting here in Washington, D.C., and not your Congressman. Because, unlike Dr. PRICE, there are very few medical experts here in Congress that can make those decisions.

As my colleague would say, it is not even a good idea for a doctor in the House of Representatives to dictate what an individual patient could receive in a certain part of Georgia or a certain part of North Carolina; much less, it doesn't work. One-size-fits-all doesn't work.

But what the Democrats put out here on the floor or what they are putting out, I should say, later this week, is they want to institute price controls, what they call negotiating for Medicare part D.

□ 1830

Mr. PRICE of Georgia. I appreciate your earlier comment. And I want to get to what the Democrat plan is, but I want to make certain that people appreciate and, Mr. Speaker, it is important that the Members of Congress appreciate that what we are talking about here is who is making decisions.

And I appreciate you mentioning that not even a physician in the House ought to be making the decisions, because the collective wisdom here isn't as great in the area of health care in all 435 Members of this body than the wisdom that is between a physician and a patient. That collective wisdom is greater than the 435 individuals here. And when you talk about plans offering programs to seniors to have certain medications and there is this big push to have the government negotiate, isn't it true that those plans are negotiating already with pharmaceutical companies and with pharmacists?

Mr. MCHENRY. It is an excellent point. We are talking about negotiating. Who is better at negotiating, somebody sitting at a desk in Washington, D.C., employed by the government, or those health care experts employed by the companies offering the plans?

I would submit that the free market will always negotiate better prices than some government bureaucrat can ever do. And the fact is what the Democrats are going to push will raise premiums for individual members or individual constituents.

So, market forces. The Democrats want to say \$35 a month, everyone has to pay that for their Medicare part D benefit. Well, you know the market forces have created a premium average which you said that gets lower and lower. The earlier numbers from a few months ago, the average is \$24, and here now we are hearing that it is closer to \$22 on average nationally.

So we have a couple things, by the way, that free market conservatives insisted on this plan being written. It says we will have a choice, meaning individuals. Our individual constituents, our individual seniors that we represent will have that choice with their plans and thereby have a choice over the medications that they can access.

The second thing is lower prices, meaning that taxpayers don't have to pay extra money and seniors don't have to pay extra money. It is a wonderful bargain, it is a great idea, and this is something that we need to talk about, not some sham or idea that is a political red herring. We need to talk about the choices that seniors are given and the price savings that they receive.

Mr. PRICE of Georgia. Choice is so very important. And when our colleagues on the other side of the aisle talk about negotiation and the government negotiating, I just almost chuckle. If it weren't that they were serious about doing this, it would be humorous. It really would.

Because if you think about negotiating with the Federal Government, I don't know, Mr. Speaker, how many times you have had an opportunity to negotiate with the Federal Government, but when I think about negotiating with the Federal Government, whether it is the IRS or the Post Office, when you think about negotiating

with the Post Office those aren't folks that one would think are going to be warm and fuzzy and interested in your best interests, Mr. Speaker, or the American people's best interests.

Mr. McHENRY. The fact that you said just strikes me as so funny. Think about negotiating with the Post Office and the IRS. As an average taxpayer, think about the IRS. They say you are going to do this or we are going to send you to jail. Talk about compelling individuals to submit.

Now, here is what I think is interesting about this is like negotiating with the IRS: You will pay the price no matter what, and there is only one consequence, you going to jail or you paying. But with this plan, the market forces will have a ripple effect on long-term cures and long-term medical technologies coming on the market, and I think that is the devastating impact. It is not just a jail sentence. It is actually a sentence for all Americans to have less access, less choice, and less long-term cures and benefits from the wonderful cures that the pharmaceutical industries have created over the last two generations.

Mr. PRICE of Georgia. And when you mention the decrease in quality of care and the decrease in access to care, people say, well, that is just smoke and mirrors. That is just conjecture. But if you look at programs that have had the effect of price fixing, and we can look at programs in our own Nation. You can look at them around the world and give grand examples for how you decrease access and decrease quality of care to individuals in health care, again, those very personal decisions.

But if you want to look at something in this Nation where the government has stepped in and said, okay, we are going to fix prices, all you have to do is look a few short years back to the Vaccine for Children's program, something incredibly important to the American people, something incredibly important to the health of our Nation. In the early 1990s, there were about 30 or so pharmaceutical companies that were making vaccines, and they were aggressive and active in their research and development. The vaccines had a varying price depending on the disease that they were attempting to cover or to prevent, and the government came in and said, oh, those prices are too high. Those prices are too high. In fact, in order to provide vaccines for every single child and individual in this Nation we are only going to allow you to charge this much. That was in 1993 or 1994.

Well, 12, 13 years later, remember, Mr. Speaker, there were about 30 or so pharmaceutical companies making vaccines. Do you know how many there are now? Three. Three.

Mr. Speaker, men and women and children all across this Nation know the difficulties that they have had oftentimes in getting their vaccines, and that is due to a lot of things but not the least of which is the intervention

of the Federal Government and price fixing which always, always decreases the quality and decreases the access.

Mr. McHENRY. I have got a question, Congressman PRICE, from a medical perspective. Could you give an example? Because we are talking about not just price but choice and the opportunity for patients to make a decision with their medical experts, their doctor, their own doctor about what is the best pharmaceutical for them to take. Could you give us some examples?

Mr. PRICE of Georgia. I appreciate that. And it is such an important question, because of the premise of all of this from a policy side. You take away the politics, but from a policy side the premise of all of this presumes that every single patient is just like every single other patient and they are just kind of little blocks that move along, and all you have to do is recognize what disease they have or what problem they have and you just determine exactly by algorithm what they need and so that a bureaucrat can determine that.

In fact, that is not the way health care works. That is not the way medicine works. That is not the way patients work. Mr. Speaker, you know as well as anybody that patients are different. Each and every individual patient is different, and what may work in one patient doesn't necessarily work in another.

I can give you a real-life example from working in the VA, which is touted as being a wonderful program, as an example for what the other side, what the majority party is trying to do to Medicare part D.

When I worked in the VA, and I had an opportunity to do that for a number of years, we were given a list of medications that were available for use in patients. And if you as a treating physician determined that the patient wasn't responding to the medication that was on that list; I am an orthopedic surgeon and treated hundreds of patients if not thousands of patients through the VA, and whether it was a pain medication or whether it was an anti-inflammatory medication or an antibiotic, something that can truly be life and death, and it wasn't working and you needed to use something that wasn't on that list, it was virtually impossible to get the right medication. And that is how you decrease the quality of health care, decrease access to quality of health care for patients, and that is precisely what will happen for 43 million, at least, seniors; and the ripple effect will occur throughout the entire Nation.

Mr. McHENRY. I have another question. So we are going through this whole process of debate, and let's just hope that this is not an empty promise or empty rhetoric for the campaign, this idea of negotiating price controls, which certain of us have this hunch that maybe it is just empty rhetoric. But to confirm that it is not empty rhetoric, Congressman PRICE, I know

you are very much in tune with the fiscal issues of this House and this Nation. Certainly there is going to be some benefit to the taxpayers and to consumers if the Democrats pass their plan. Do you have any facts on that?

Mr. PRICE of Georgia. I appreciate the gentleman bringing that up. Because if you ask the individuals who are objective experts in this area and you go either to CMS, the Center for Medicare and Medicaid Services, or in Congress we go to CBO, Congressional Budget Office, there are some very interesting findings. And these are folks that really don't have a dog in this hunt from a policy side. They are charged with giving us objective information.

And the CMS actuary, the individuals who are charged with determining what a program is going to cost, said, regarding having the government "negotiate" on this, "Price negotiations between plan sponsors and drug manufacturers would achieve comparable or better savings than direct price negotiation. This expectation reflects the strong incentives to obtain low prices and pass on savings to beneficiaries resulting from competition."

And CBO, the Congressional Budget Office, which is charged with providing accurate information, Mr. Speaker, to both Democrats and Republicans, both sides of the aisle, they provide the same kind of information. They attempt to provide objective and accurate information, and what they said was, "We expect that risk-bearing private plans will have strong incentives to negotiate price discounts for such drugs and that the Secretary would not be able to negotiate prices that further reduce Federal spending to a significant degree."

So those are the two main folks that we look at to determine what the costs of this program will be that is being proposed by the other side of the aisle, and in fact what they say is that it will not be as inexpensive as that currently in place.

Mr. McHENRY. The gentleman has a wonderful point, because we had this meeting which I was happy to attend with you just the other day with Secretary Leavitt, who, as those listening and watching tonight, Mr. Speaker, very well know, he is the Secretary of the Health and Human Service Department here in Washington, D.C. He would be in charge of negotiating these price controls.

Now, what is interesting is you are talking about giving more power to someone in government. They normally like that. They normally seek that out. As we all well know, it is human nature. And his answer is pretty simple: I know we will not be able to get any benefit out of this and I know that it will have a harmful effect on the program and access to consumers' choices and access to the medical pharmacology that they need.

So he said he does not want this. It is not necessary. And he concurs with the

CBO, the Congressional Budget Office, analysis of this; and the fact is that CBO says the government could not negotiate a lower price than what the free market is already doing.

So the facts are out there. And I am led to believe with the facts you just discussed, Dr. Price, that this is pretty much a sham. It is a political issue used by a select few here in Washington, D.C., for political purposes.

Look, I know, I know, you know, politics in Washington, oh, what a shock. But the emptiness of this rhetoric from the majority side is quite glaring, and in fact I am led to believe that it is really a red herring. Let's make this the big evil issue. When in fact going back to the Clinton administration they had the very same language on how to get the best price from government purchasing pharmaceuticals. And so they are going to a different direction in order to win a political issue and they are going back on what they advocated just a few years ago in the Clinton administration and even what they supported in committee here in this House just less than 4 years ago.

□ 1845

Mr. PRICE of Georgia. Mr. Speaker, reclaiming my time, politics is replete in the discussions that we have here in this building. There is no doubt about it. And as I mentioned before, it would be humorous if it weren't so serious. This is a remarkably serious issue.

And when you hear the other side of the aisle talk about how they determined that this would be in their first blitz of legislation, again, that it is not open to discussion that could result in any change at all, no amendments being offered, hasn't gone through the committee process, no input from anybody on the minority side, and no input from any one of the freshmen legislators, when questions are asked regarding how did you decide what you would include in this first blitz, the other side of the aisle is proud to say these are issues that 80 percent plus of the American people support.

That is where, Mr. Speaker, it is incredibly important to remember what Senator Daniel Patrick Moynihan said, and that is that everyone is entitled to their own opinions but not their own facts. And it is our responsibility as leaders in this Nation to remember that we enact policies that have consequences, and the consequences of not enacting appropriate policy when it comes to health care is not just that somebody loses a little more money or has to pay a few more taxes or is inconvenienced to a certain degree. The consequences of legislation that relates to health care, when it is the wrong policy, results in decreasing quality of health care and harming individuals and even, Mr. Speaker, resulting in shortening the lives of individuals in this Nation. The consequences of this kind of decision are huge, are significant.

And when the majority party says, well, we are just doing it because 80

percent of the American people think it is the right thing to do, leadership, Mr. Speaker, means that you investigate the situation and you lead. You lead with information that is factual information.

And it distresses me greatly that we find ourselves in this first week of this new 110th Congress with a new majority who is all excited about the prospects of leading and, in fact, what they are doing is putting forward an issue that will result in a lower quality of health care for American citizens and will result in harming, truly harming, many of our constituents.

I am pleased to be joined now by my good friend and physician colleague in Congress, a good friend from Georgia, Dr. GINGREY, Congressman PHIL GINGREY, and I know Congressman GINGREY would like to make a few comments about the part D proposal that has come to the floor.

Mr. GINGREY. Mr. Speaker, I appreciate very much Dr. PRICE's giving me an opportunity to be here once again, once again, with a great team, the Truth Squad, and taking up where they left off in the 109th, Mr. MCHENRY and Ms. FOXX and others, led by Dr. PRICE.

And, of course, there are a couple of pretty darned important issues on the floor in this 100-hour rush to pass with no amendments, as you pointed out, Dr. PRICE, no opportunity to even present amendments to get rejected. And we are talking, of course, about the two bills, one tomorrow, and that is the stem cell issue, and then, on Friday, Medicare part D. I would be glad, happy, thankful for the opportunity to talk a little bit about part D and maybe later in the hour touch on just for a few minutes the issue of the stem cell bill that is coming up.

Medicare part D is working. You have heard that old expression "If it ain't broke, don't try to fix it." I think that applies to this issue, my colleagues, Mr. Speaker, more than any I have seen in a long, long time.

Because I know the majority party particularly loves to look at polls, loves to look at numbers, and I don't blame them. I understand that, too. But this is an 80 percent issue of satisfaction, is it not? And we are talking in 1 year, our seniors, 38 million of them, 80 percent of them are very, very happy with Medicare part D. They have finally gotten it.

We delivered it, we the Republican majority at the time in November of 2003, and we gave them something that they have literally been waiting for not the entire 40 years of Medicare, but I would say certainly for the last 25 years, and that the previous and now new majority could not deliver on.

So I could understand their wanting to get on the bandwagon at this point and take credit for something. But I think, Mr. Speaker, that we are looking at a situation where they are about to gum up something that is working fine, and we need to let it continue to work. And I say that not just because

it is an opinion that I hold as a physician or based on what people in my district, the 11th of Georgia, are telling me, but I base it on the fact that originally we predicted that the premium for Medicare part D would be about \$37 a month. At that time, the Democratic minority both in the House and the Senate introduced amendments and/or legislation saying, let's fix the premium, the monthly premium, at \$35 a month. Let's fix it. Well, if they had prevailed in doing that, Mr. Speaker, then today they would not be enjoying an average monthly premium of \$24 a month. So let the market continue to work.

Mr. PRICE of Georgia. Mr. Speaker, I thank the gentleman. I know that you are very familiar with medical issues, being a physician in your former life, and I appreciate your comments as it relates to part D.

And I just want to spend just a few more moments on the prescription drug plan and then move on to another issue and would be happy to yield to my good friend again from North Carolina, Congressman MCHENRY, for some closing remarks about part D that is going to come to the floor later this week.

Mr. MCHENRY. Thank you so much again, Congressman PRICE. Again, it is an honor and a privilege to be on the floor with two physicians who have this hands-on knowledge of how a very complicated government program works in terms of people. And I think that is what we need to be concerned about as policymakers, is the impact that we have on citizens and the choices and options they are able to have, the cost out of their pocket both through tax dollars and through their premium payments every month through the Medicare part D premium.

What we have to do in this House as a minority party now is to make sure that what the Democrat majority does is honest and has integrity, and I believe that this issue is a red herring used for political purposes. It is a sham. It will have little to no effect, and any effect that it does have will be negative for seniors, and it will be negative for our taxpayer dollars, and it will have a long-term negative effect on our pharmaceutical industry in this Nation where we have developed wonderful cures for such complex ailments that have perplexed generations of Americans and citizens in this world.

So what we have to do is make sure that we focus on the price to consumers, the price to taxpayers, and the choice and options that consumers are able to have in the free market. So let us not get off on tangents here. That is what this issue is all about, price and choice. So let us stand on the side that provides our constituents with the best options available, the most options available, at the lowest price possible.

So, Congressman PRICE, I thank you for your leadership with the Official Truth Squad. It is a great, great day when you are able to take the House

floor and I am able to watch you in action making the points that need to be articulated to the American people.

Mr. Speaker, it is a privilege to serve in this House and be able to carry out those agenda items that are going to help Americans and also stop the bad things that will hurt Americans that some in this Chamber offer, some more frequently than others.

Thank you, Congressman PRICE, for your leadership not just on the prescription drug benefit issue and medical issues but your overall leadership of holding this majority party, the Democrat majority party, accountable for their words, their rhetoric, and their actions. Thank you, Congressman PRICE.

Mr. PRICE of Georgia. I thank you for your participation.

Let me just close with some final comments about a Medicare prescription drug plan that is on the agenda this week to be dealt with by the majority party.

In the program, the costs are down. The access is expansive to medications. All medications in the panoply or the array of plans that are available are available to patients. Seniors are happy. We are negotiating now. There are negotiations going on now between plans and pharmaceutical companies and plans and pharmacists that have decreased costs much below what was projected.

The big question in the end, Mr. Speaker, is who is going to be making health care decisions? Is it going to be government bureaucrats and majority parties, or is it going to be patients and doctors? That is the real question. And I am hopeful that my colleagues on the other side of the aisle will appreciate the gravity of this issue that they are bringing forward and the importance of making certain that there is input from all Members of Congress as it relates to this issue. And hopefully, hopefully, if we cannot get some sanity in this Chamber, we will get some sanity in the Senate and make sure that we don't do something that would truly harm the health of the American people.

Mr. Speaker, we are going to continue now and talk about another issue that is of incredible importance and incredible gravity to the American people and certainly to some very specific individuals, and that is the issue of stem cell research. It is an extremely complex issue. It is a scientific issue. It is an issue, Mr. Speaker, that demands the highest quality debate and input here in the U.S. House of Representatives. And, once again, what we are seeing from the majority party is not that kind of involvement.

Nobody, nobody on the minority side of the aisle has been involved specifically in bringing forward the legislation, with the exception of the few individuals who are supportive of what the majority party is doing. Nobody who has a contrary view has been involved in the process. There have been

no committee hearings this session on this bill. The Republicans by and large have been shut out and certainly all of the freshmen have been shut out of this issue. An issue that truly, Mr. Speaker, you talk about a life-and-death issue. This is a life-and-death issue.

I am so pleased to be joined by many of my colleagues this evening to talk specifically about the issue of embryonic stem cell research and stem cell research in general. I would remind folks again of kind of the hallmark quote of the Official Truth Squad, and that is that everyone is entitled to their own opinion but not their own facts. And if you look at the scientific facts on this issue, Mr. Speaker, you will arrive at the right conclusion.

So I am pleased to ask to join us this evening my good colleague from North Carolina, Congresswoman VIRGINIA FOXX, who has been passionate in her desire to make certain that we as a Nation have an appropriate and correct policy when it relates to embryonic stem cell research.

So I yield to my good friend from North Carolina, Congresswoman VIRGINIA FOXX.

Ms. FOXX. Thank you, Congressman PRICE, for yielding. And, again, thank you for keeping our Truth Squad together and making sure that we are here on a regular basis presenting the facts to people. That is what I think we have to do on this very, very important issue of stem cell research.

The people who are pushing for embryonic stem cell research and the media, I think, have very much misled the American public on this. They have not done a good job of educating people on this issue.

I had a chance last year to speak on this issue for quite a long time on the floor and got a lot of positive feedback from people saying this is the first time I ever had anybody really explain the difference in embryonic stem cell research and stem cell research. So I want to talk a little bit about that tonight, because I think that is one of the critical issues, and then I want to talk about the facts again. It really is important that we understand what the facts are as they relate to the difference between adult stem cell research and embryonic stem cell research, and I am going to probably repeat this several times because I think it is so important.

I have something that is not as good as the charts, but stem cell research treatments, adult stem cell research treatments, if you can see this, it says: "Adult, 72; embryonic, 0." That is the score. There have been 72 efficacious treatments that have come out of the research on adult stem cells, zero out of embryonic stem cells. In fact, all the research that has been done using embryonic stem cells have produced tumors and rejection, and no embryonic stem cell research has been allowed to be done on humans because of the very bad results that have come out of the research using embryonic stem cells.

Now, the other thing that people have been misled on is whether there is any embryonic stem cell research going on. There is embryonic stem cell research going on, but many people, including myself, object to the use of Federal funding when it involves the destruction of human life.

In 2006, NIH spent \$38 million on embryonic stem cell research. You will never hear that coming out of the voices of the people who are pushing for embryonic stem cell research. They want the American people to believe that nothing is being done and that people who have debilitating diseases are being denied the opportunity for quick cures.

□ 1900

Nothing could be further from the truth. Approximately \$200 million is being spent on human nonembryonic stem cell research: adult stem cells, cord blood, et cetera.

I am proud to be able to say that Wake Forest Baptist Medical Center, Dr. Tony Atala and his team of researchers have been able to show strong results in their work with amniotic fluid stem cells. That has come out this week and I have talked about it on the floor and we are going to continue to talk about it. I spoke to Dr. Atala just before I came over here tonight, and he wanted me to remind people of the real problems with embryonic stem cells and the fact that every time they have been used they create tumors, and they are rejected by the animals into which they are injected.

That does not happen when you are using a person's own cells or when you are using amniotic stem cells. That just is not happening with people.

So we need to make sure that people understand the difference because it is so easy for folks to talk about stem cell research, and they make folks like me look like we are mean and hateful people because we don't want to do this research that kills human life because they are saying that it is worth it to improve the lives of people with diseases.

But pro-life people support stem cell research. There is only one exception, we don't want that research to kill other human life. We don't think that is appropriate. Never in the history of this country have we allowed research to do that. We very strongly control research to make sure that human beings are not damaged by the research that is done.

In a former life I was a social scientist, and so I understand about the ethical way to do research. We have never done that in any other area, and yet it seems so easy for people to talk about doing embryonic stem cell research and destroying the embryos.

The national media and others have really ignored the scientific realities, and they fail to report that embryonic stem cell research is the less promising course of action that, in fact, ends life.

This negligence allows people who are suffering from diseases to develop false hope about possible breakthroughs by embryonic stem cell research. Again, just the opposite is true. Nothing positive has come out of embryonic stem cell research. Nothing. Zero.

But out of adult stem cell research, cord blood research, amniotic fluid research, we have, again, 72 good treatments that have come, and we will be expecting more of those. Every day we have breakthroughs in that area, and we will continue to have breakthroughs. But if we get distracted by taking money away from this very promising research and put it into this unethical research that destroys human life and holds very little promise, then that is where the real crime is, I think, that we are trying to take the money away from what is producing good results and put it into something that is not producing good results.

As I said before, no embryonic research has been done in humans because it is too dangerous. When it has been done in laboratory animals, there is no control over what happens. The stem cells develop in ways that can't be controlled. They create tumors. They are rejected, and it is all negative; and yet with the other, it is all positive.

I think when we have the vote on this issue this week, people have to keep this in mind. I hope that the citizens who in the past have not understood the difference in these issues, they have not understood the ethical issues or the scientific issues, will say to your Member of Congress, I now understand this better, and I want you to take the ethical route, the efficacious route, not the route that will create death to the embryos and not positive kinds of results.

I yield back to the gentleman from Georgia (Mr. PRICE) who is the official leader of our Truth Squad and helps us inform the American people at every one of these events.

Mr. PRICE of Georgia. I thank Congresswoman FOXX for participating and for bringing up the incredible importance of the ethical issues that are real. Regardless of where you come down on this issue, there is no doubt, it cannot be denied there are significant ethical challenges and questions surrounding this entire debate. If we ignore those as a Nation in our debate and discussion about it, it will result in a disservice to the entire Nation.

I am pleased to call again on my physician colleague, the gentleman from Georgia (Mr. GINGREY), an obstetrician-gynecologist who practiced for almost 30 years and has incredible knowledge and passion and perspective on this most important issue of stem cell research.

Mr. GINGREY. If we start talking about the number of years we have been in practice, the folks back home and in the Chamber will figure out how old we are, so we better stay away from

that. Suffice it to say, we have both been at it for a long time, you in the field of orthopedics and me as an OB-GYN. Again, I appreciate what you are doing with respect to the Truth Squad.

The gentlewoman from North Carolina (Ms. FOXX) made some great points. First, anybody who suggests that this President is not for stem cell research just absolutely is ignoring the facts. The fact is, before 2001, when the President said we could start to use Federal dollars, your dollars, my dollars, our constituents' dollars, to fund stem cell research, indeed embryonic stem cell research on those existing lines that were indeed obtained from embryos from IVF clinics, because that destruction of life had already occurred and these stem cell lines existed, since that time in 2001, Mr. Speaker, we have spent I think the figure is \$163 million on stem cell research. Representative FOXX mentioned that. We want that to continue. We want to be able to continue to fund that through the NIH.

But she also addresses the issue of truth in advertising. I know the majority party is thinking this is an issue that polls 80 percent. Sure, if you show a public service announcement with Michael J. Fox, unfortunately, with wild movements all over the screen or you show Christopher Reeve and he is on a respirator and is a quadriplegic, and you say to them: Would you, Mr. and Mrs. America, would you be in favor of embryonic stem cell research that could cure these diseases, you are going to get an answer 80 percent of the time, a resounding "yes."

But on the other hand, if you held up two precious twin toddlers, as I have seen, who are part of the snowflake baby population that were adopted embryos, and said: Would you be in favor of destroying these embryos so these lives never existed in the hopes that we could help Michael J. Fox or Christopher Reeve or your mama or my grand mama, the answer would be a resounding "no." That is where we get into this issue.

I want to remind my colleagues on the other side of the aisle, that is why we want an opportunity, which we are not getting, to go to the Rules Committee with amendments. Maybe they would get rejected. Maybe we would have an opportunity to bring them up on the floor, and talk about alternative ways of getting these stem cells, adult stem cells or embryonic stem cells from this amniotic fluid study that just came forward, or to get embryonic stem cells by biopsying an embryo without destroying it or even harming it, or taking one of these frozen embryos, thawing it out and you can tell microscopically that it has no chance of developing into a life, and taking those embryonic stem cells. That is all we are asking, Mr. Speaker.

I am very appreciative in the limited time that Dr. PRICE has left for allowing me to say a few words, and I want to turn the time back over to him for his concluding remarks.

Mr. PRICE of Georgia. I thank the gentleman for joining us this evening and truly the recognition that this is a life-and-death issue.

As I mentioned, regardless where anybody is, Mr. Speaker, on this issue, whether or not you believe that an embryo is indeed life or not, nobody can deny that there are ethical questions and an ethical dilemma that surrounds all of this.

As a physician, I was trained in what is called the scientific model which means you try to collect as much information as possible and determine from that information what course of action you ought to take, and then step back and evaluate what has occurred in treating a patient or in whatever course of action you might have taken, and then make decisions based upon that information.

The information we have available to us now, the information, specific information, the facts, not opinions but facts, the facts of the situation right now are that, in the area of stem cell research, which all of us support, all of us support stem cell research, in the area of stem cell research, the work that is being done for patients right now is overwhelming in its benefit now from adult and cord stem cell research and stem cell treatments in the area of adult and cord stem cell as opposed to embryonic stem cell.

Mr. Speaker, as you know, there has been no opportunity to amend or bring light in this Congress to that issue.

I know that this won't show up very well, but this is a sheet that has 77 different diseases on it for which there are currently either clinical treatments or clinical trials for patients. Seventy-seven different diseases.

I think it is important for you, Mr. Speaker, and anybody listening, to appreciate that there are individuals who are being cured of diseases right now from the use of adult and cord stem cells, stem cells that are not derived from situations where there is, indeed, this ethical question or challenge.

In fact, there are at least nine patients who have been cured of their sickle cell disease. That is patients who no longer have sickle cell disease utilizing cord stem cells.

Mr. Speaker, that is incredible. It is a wonderful thing that has occurred. It is something that all of us ought to embrace, and that is factual. That is factual.

If you look, however, Mr. Speaker, at the number of diseases for which there are clinical trials or clinical treatments in the area of embryonic stem cells, and those are the ones where there is that ethical dilemma or challenge, this is the answer to that: None. None. Zero.

So you have 77 different diseases that are being either treated in the clinical setting with actual patients, real patients, or there are trials that are going on or there is active study going; 77 with adult and cord stem cells. And then embryonic stem cells, none. Zero, Mr. Speaker.

Now, it is wholly possible that something at some point in the future may result in the ability to use embryonic stem cells for the treatment of disease, but I would suggest to you, Mr. Speaker, and my colleagues here and to anybody who truly is interested in the factual nature of this scientific question, a very complex question, and that is that the scientists are way ahead of the politicians on this.

□ 1915

Congresswoman FOXX mentioned one of the wonderful breakthroughs that was just announced from Wake Forest earlier this week, and that is the use of amniotic fluid to find and recover, capture, if you will, embryonic stem cells that have none of the ethical dilemma of whether or not life is being destroyed in order to advance science. None. None of that ethical dilemma.

So, Mr. Speaker, I would ask my colleagues on both sides of the aisle to recognize that science ought to be listened to in this, and we ought to pay attention to facts. There is no reason to move forward with a bill that will not necessarily result in significant cures for diseases and that will only, only, result in the demagoguing of an issue and hold out a false hope for individuals for whom they believe that if we just pass this bill that their disease will be cured tomorrow.

Mr. Speaker, that simply is not the case. The biggest bang for the buck in terms of utilizing taxpayer money, Federal taxpayer money, which is hard-earned taxpayer money, for appropriate research is in the area of adult and cord stem cells and possibly embryonic stem cells that are recovered in a way that has none of the ethical dilemma or challenge.

Mr. Speaker, I was honored to be with you this evening.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. SIREs). The gentleman from Florida (Mr. MEEK) is recognized for 60 minutes.

Mr. MEEK of Florida. Mr. Speaker, I am honored to come before the House again.

The 30-Something Working Group, as you know, has been coming to the floor now in the 108th and 109th Congresses and now in the 110th Congress to share with the Members of the House and the American people information about what is happening here under the Capitol dome, and I am very excited to report that there is an awful lot that is happening. More work has been done as it relates to assisting the American people over the last couple of days or the last hours, which is historic in many ways, than happened in the entire 109th Congress. It was talked about, it was promised, but it never happened. So I am glad to come to the floor with my colleagues who will be joining me shortly.

I think it is very important, Mr. Speaker, to not only commend those

that have been consistent on message, not only message, but action. I can tell you that hearing my colleagues on the other side of the aisle, you would think that they have been in the minority for the last 14 or 16 years, because they sound like all of a sudden they are ready to do something about the problems that are facing this country.

I can tell you also, Mr. Speaker, that the fact is that we moved in the right direction in securing this country and passing the 9/11 Commission recommendations, and, like we promised, Mr. Speaker, in the 109th Congress, the last Congress, we worked in a bipartisan way. When we passed that piece of legislation, we had not only overwhelming, full support from the Democratic side of the aisle but a high number of Republican Members joined Democratic Members in voting for those recommendations to be placed into law pass this House.

Today is a very historic, very emotional time for those of us that fought on behalf of Americans that punch in and punch out every day to be able to receive a hike in the minimum wage to \$7.25. Again, we said we would work in a bipartisan way along with our Republican colleagues, and over 300 individuals voted for, including a number of Republicans, I think 80 or 81 Republicans, joined the entire Democratic Caucus who voted in the affirmative for an increase in the minimum wage to give the American worker a well-overdue raise. That will move on to the Senate and hopefully to the President's desk.

I think it is important, Mr. Speaker, to look at the way we have moved in the right direction on ethics, saying we are willing to hold this House to standards that the American people would like for us to be held to and to also have a committee that will review any question of conduct as it relates to any Member of the House and that will consider that in a bipartisan way and report back to the appropriate overseers of the House here so that people know that we have checks and balances.

Just mentioning those three items, Mr. Speaker, and looking at how Republicans have voted with Democrats because we have taken the lead to bring these issues to the floor, it is a perfect example of what we talked about for 3 years here on this floor. The good thing that I like about what we talk about and then what we do is the fact that we follow through, Mr. Speaker, on what we have shared, not only with the Members on the majority and the minority side, now the Democratic majority side, but what we would do if given the opportunity. I think the Members should pay very close attention, because the American people responded in a very positive way.

It has been said there will be mistakes made, and it will be painful in some instances when we look at PAYGO regulations that we have imposed on ourselves. That is another ini-

tiative that passed this floor, that we will not start a program or send money out of the door of the U.S. House of Representatives unless we can show how we can pay for it.

We know there are some war issues there and some other issues, but as it relates to what we call here on the floor, Mr. Speaker, regular order, where a Member files a bill and says I want to do X, Y and Z, and don't worry about it, we will borrow it from a number of the countries I have identified in the past that own a piece of the American apple pie. As we continue to move on, Mr. DELAHUNT, we want to start peeling these numbers off, showing how America is now starting to make itself whole as we start to pass policy.

I think it is also very, very important, Mr. Speaker, to note that there will be a lot of things said on this floor. That has been the case since the beginning of the country. That is a good part of our democracy. Members can come to the floor and say what they wish to say. They are representing their constituents back home, and their constituents every 2 years have an opportunity to vote if they want them to return back.

Mr. DELAHUNT, before I yield to you, I guess I would just like to put a word of caution out there. To those who feel they can come to this floor of the People's House and share information, to make an argument or an action or inaction sound appropriate, now, I know many of my friends on the other side, and I do call them friends, because we all are friends, we see each other, but we weren't elected to come up here and pat each other on the back and say "I am more dedicated to you than I am to the folks back home or the American people." I will say this. We are all in the spirit of doing the right thing.

But I just want to caution, because I think what got the Republican majority in the 109th Congress and the Congresses before that in trouble was the fact that there was more allegiance to the Republican leadership.

When we start talking about these bipartisan bills, Mr. DELAHUNT, which I would like to do, I stood here at this podium, this mike on this floor a similar night several months ago, starting a couple of years ago, and said bipartisanship is only allowed if the majority allows it.

I didn't have a problem with the frontline or the everyday Republican Member of this Congress. I had a problem with the Republican leadership that led their caucus in the direction of special interests and in the direction opposite of what the American people said they wanted.

So what we are doing now is we are moving in the direction the American people wanted. They said they wanted ethics. We voted for it on the floor. We received Republican votes on those issues.

The American people said they wanted to raise the minimum wage. We voted here on this floor, and 80 or 81

Republican Members voted saying that they support it.

We voted to implement all of the 9/11 recommendations. We said that we would do it. Republicans on that side followed suit, many of them, and voted to secure America.

So when we move the embryonic stem cell legislation and prescription drugs, all of these issues are based on leadership. We start talking about a bipartisan spirit, and we will let the record, Mr. RYAN and Mr. DELAHUNT, reflect our intentions and what we want to do.

Yes, we are going to have some partisan votes in this House. But these are major issues. I don't care what anyone, any pundit, says, some Member going back home saying "I voted against that." It is going to be hard for them to say they voted against the person that is making \$5.15 an hour. "You voted against that? Oh, you are real tough, Congressman." Goodness gracious. These are people who can't even afford to buy gas.

But we are not going to focus on that, Mr. Speaker. We are going to focus on the 80-plus Republicans and the entire Democratic Caucus that voted to give the American people a raise.

Mr. DELAHUNT, Uncle Bill, we are so happy, sir, that you are a part of the 30-Something Working Group. We are so happy that this is your inaugural night in the 110th Congress, where we are in the majority, your joining us here on this floor.

We talked about your contributions last night. We said that we have a Medicare recipient within our midst. We talked about individuals that are drawing down on one of the pensions that maybe you received in your long career of public service. But we appreciate the fact that you are continuing, and we said we will continue our commitment.

Mr. RYAN of Ohio. Long, long, long years.

Mr. DELAHUNT. Well, again, I am honored to be here. I heard that last evening my name was mentioned here in the House, and I presume that it was mentioned in a way that was kind and generous to a senior citizen, a senior citizen that has the Medicare card to prove that.

Talking about Medicare, we are going to address Medicare in this session of Congress, and we are going to do something about that so-called prescription drug benefit program that was passed over the objections of almost every Democrat and a few courageous Republicans several years ago. Because as you know, Mr. MEEK, and you know, Tim RYAN, there was a provision in that particular legislation that prohibited the Medicare Trust Fund from negotiating with the large pharmaceutical companies for a discount.

In other words, whoever is the director of the Medicare Trust Fund can't go into a room and sit down with the drug companies and say, "Let's discuss

a fair price, because we are going to purchase in large quantities prescription drug benefits," for people like myself, "and we are going to effect real savings, like they do in the Veterans Administration."

I have seen estimates of savings that range from 30 to 80 percent on drugs where discounts could be made available and effected, drugs that save the lives of people and enhance the quality of life for those of us who have reached the golden years.

It is extraordinary in terms of helping people who have worked hard all their lives from not having to make those tough choices between food and heat, or air conditioning in the case of Mr. MEEK and the young lady who just became the chair of a very powerful subcommittee here in the House, who is now known as Cardinal WASSERMAN SCHULTZ.

Mr. MEEK of Florida. She is a rabbi.

Mr. DELAHUNT. I guess. I am just using a term that we often use here. But she is certainly dressed like a cardinal this evening.

Ms. WASSERMAN SCHULTZ. Thank you, Mr. DELAHUNT.

Mr. DELAHUNT. But I have to tell you, I am really proud of the work that your generation has done over the course of the 109th Congress to bring home that message to the American people. You did it effectively. You are helping my generation and you have our profound gratitude. Because it was clear the message that the three of you and other colleagues of ours in the Democratic Caucus spoke to over the course of 2 years resonated with the American people.

I am so proud of each and every one of you. Congratulations. I think we can all share great pride in what has been accomplished since we took our oath of office just a week ago. It is extraordinary. There is a new tone.

You know what is particularly gratifying to me is to see so many of our colleagues, our Republican colleagues, our good friends, our dear friends, join with us in really moving forward an agenda that benefits all Americans.

□ 1930

Ms. WASSERMAN SCHULTZ. To the gentleman from Ohio.

Mr. DELAHUNT. I think maybe I should yield to the gentleman from Ohio because he wants to say something.

Mr. RYAN of Ohio. You are the cardinal, Ms. WASSERMAN SCHULTZ.

WASSERMAN SCHULTZ. No, that is okay. I defer to the senior Member.

Mr. DELAHUNT. I think for those watching we have to explain what the term cardinal means, in terms of a new position.

Ms. WASSERMAN SCHULTZ. No, we really don't.

Mr. DELAHUNT. Could you amplify on that, Mr. RYAN?

Mr. RYAN of Ohio. I would be happy to. In the Appropriations Committee, I think we have now maybe 11 or 12 sub-

committees, and the chairs of the subcommittees are referred to in the body as cardinals. Well, Ms. WASSERMAN SCHULTZ, as the cardinal and the chair, carries the gavel for the Legislative Appropriations Subcommittee. So we are very, very proud of our 30-Something member.

Mr. MEEK of Florida. Ratified by the Democratic Caucus.

Mr. RYAN of Ohio. Ratified by the Democratic Caucus.

But what I think is interesting about all of this is that when you look at today we passed the minimum wage bill. Historic. Look at what we have been able to do with the 9/11 Commission report; what we were able to do with ethics reform; what we are going to do with negotiating drug prices; what we are going to do with stem cell research. When you look at what will be done in just a few weeks, the light of government and the power of government over the past 10, 12 years has been used really to take and help the top 1 percent of the people in the country, whether it was for tax cuts for millionaires or corporate welfare for oil companies or energy companies, whether it was for corporate welfare for the pharmaceutical industry, but the resources and the energy of this body were being used and the levers of government were being used to help that very small percentile of the American people who had the ability to invest in stocks, who have the ability to move their investments abroad to China and other countries and ship their goods back here and who take advantage of the tax cuts and make money off of corporate welfare. They just benefitted in every single way.

But if you look at what we have done and what we are going to do in the next couple of days, we raised the minimum wage, which will affect millions of Americans, 3½ million women and children, lifting them out of poverty. And you can pull all the stats you want, but the bottom line is that people who make minimum wage are going to make more now in the United States of America. And that is not saying we have done anything tremendous. That should have been done years ago.

When you look at what we are going to do with student loans, cutting the rates for student loans in half for both students and parents, loans that have come out. Cut the interest rate in half. That will save the average person who takes out a loan \$5,000 over the course of the loan.

So now you have an increase in the minimum wage, now you have a reduced loan payment because the interest rate has been cut in half and you are going to save money on that, and then, if you are parents or grandparents, like Mr. DELAHUNT, and qualify for Medicare, there is going to be less money out of your pocket to spend on prescription drugs because we are going to use the ability and the power of this program to reduce the cost of drugs for our senior citizens.

I will be happy to yield, but just in those three things, those three areas, Mr. DELAHUNT, average people are going to benefit, and we have only been here 2 weeks.

Mr. DELAHUNT. Right. And I look forward to the proposal that will reduce the interest on student loans, because I know so many families in my district back in the South Shore of Boston and Cape Cod and the islands, where the families and specifically the students themselves take a loan and find themselves graduating from college with a debt, on the average, of approximately \$20,000. We know that over time they are catching up for a significant number of years, preventing them from putting that bonus that they receive at the end of the year for a down payment on a home to ensure their future or maybe just putting it into an IRA.

Mr. RYAN of Ohio. And the time will come, as you have proven.

Mr. DELAHUNT. And it comes real quick.

Mr. RYAN of Ohio. What I thought was funny today, or yesterday, in one of the local Capitol Hill newspapers, Roll Call or The Hill, the financial sector, the folks who lend money to the students were squawking, and it was blatant right in the article, because they are going to have reduced profits. Well, I am sorry, we are not here to make sure that you get good profits. We are here to make sure that students in the United States of America can afford to go to college and that they can go out and make good profits. This is not an enterprise here for you to tap into and let the money come shooting out.

And I am happy to yield to my colleague, Ms. WASSERMAN SCHULTZ.

Ms. WASSERMAN SCHULTZ. Thank you. And I want to go back to the minimum wage for just a second, because this is the second day now that we have had the opportunity to watch Speaker PELOSI preside over our legislation that is passing out of the House of Representatives with the speed that we want, which should demonstrate to the American people that we share their priorities.

Yesterday was H.R. 1. Today was H.R. 2. And one of the things that, combined with the Six in 2006 agenda and our commitment to move this country in a new direction, that she committed to on our behalf was bipartisanship and making sure that this is the most inclusive bipartisan House of Representatives in history. And what I thought was the most emblematic of that and that was really telling of the difference between the way we are running this institution versus the way the Republican leadership ran it is that I looked up on that board with the vote tally at the end, and this is the first opportunity that we have had in the time that I have been here, in 10 years, as the gentleman from California (Mr. MILLER) indicated, the first opportunity we have had to have a straight

up-or-down, clean vote on the minimum wage. The first chance.

Before, we had to go through all this rigmarole and shenanigans, and we had to do motions to recommit and use procedural moves in both the Appropriations Committee and on this floor to get remotely close to a vote on the minimum wage. And you know how in the last Congress, in the 109th, when we would come on the floor as the 30-Something Working Group and we would lament the antics of the Republican leadership and the arm-twisting that they did, and even on those procedural motions where we were trying to get a vote even close to the minimum wage, they would wrench the arms of our colleagues on the other side of the aisle behind their backs and make them vote "no."

Well, what was the vote today? That vote on H.R. 2, on the minimum wage, there were 201 Members more that voted "yes" than voted "no". There was a 201 vote difference. Now, we have fewer than a 201 vote margin here. We are in the majority, but our majority is about 30 or 32. It is not 201. So look at what bipartisanship and inclusiveness does. And when you are finally allowed a free vote, a straight up-or-down vote on the American people's priorities, we had a huge bipartisan margin to increase the minimum wage. And that is beautiful. That is what democracy is all about.

Now, without violating rules and directly addressing the Speaker, it is so refreshing to see my good friend from Florida in the Chair tonight, and that is about as close as I will come to naming the gentleman from Florida, but I really was so gratified to watch us begin to go through the Six in 2006 agenda and finally deal with the priorities of the American people.

Lastly, Mr. DELAHUNT, I want to thank you for your kind words. The thing that makes me so humble and proud and excited about the opportunity that I have to chair a subcommittee in appropriations is, if you recall, Speaker PELOSI last week, when she took the gavel from the gentleman from Ohio, she talked about how she was able to bust through the marble ceiling. And the wonderful thing about Speaker PELOSI is that when she did it, like the leader that she is, she took other people with her. She didn't just bust through it for herself. Her busting through the marble ceiling gave so many of us, the diversity of this caucus, an opportunity to be a participant in making the world a better place for the American people.

Mr. DELAHUNT. And hope.

Ms. WASSERMAN SCHULTZ. And hope.

Mr. DELAHUNT. And I believe there is a palpable sense of optimism for the first time. And I think much of it is predicated on that bipartisanship that we are talking about that was reflected in that vote.

Now, partisanship is good in the sense that there is a diversity of ideas,

and out of that debate on ideas comes sound public policy.

We have had debate after debate, 10 years' worth of debate on the minimum wage. Workers in this country have been waiting for this moment, even if they make more than the minimum wage, because it sends a message that finally the U.S. Congress is listening to them. And so there is hope.

And it is not just Democrats. As all of you have indicated, there was a significant minority of Republicans who voted for it. So I think, not only should we be proud, but I think the American people should begin to understand that something is happening. Something good is happening, Mr. Speaker, and it is going to take time. It is not going to be all roses. There will be speed bumps. But finally we are turning into a new direction. And I know that every Member on the Democratic side is excited about working with our Republican colleagues to advance the agenda that will truly impact the lives of most American families.

Mr. RYAN of Ohio. Will the gentleman yield?

Mr. DELAHUNT. Of course.

Mr. RYAN of Ohio. I think the good part about this whole first 100 hours and what we have been able to do, Mr. Speaker, is that we are making some structural changes. We are not petering around the edges. I think the people out there that wanted us to be bold, they are seeing bold. The minimum wage, now, obviously it hasn't been done in 10 or 12 years, since 1997, so it is bold.

Mr. DELAHUNT. Tim, could we go back? And, again, I promise I won't interrupt. I know sometimes I have a tendency to do that.

Mr. RYAN of Ohio. We like your passion.

Mr. DELAHUNT. But I have to tell you, the fact that one of the first orders of business was to institute the so-called PAYGO rules, which means we recognize that there is a deficit out there that has to be addressed, it is not going to be easy. I know the American people understand that. But again, it goes back to that optimism and that hope that is beginning to emerge.

Yes, it is going to be tough, but we are a resilient people. We are a tough people. And we might have to make some sacrifices, but we are going to get back to the time where the deficit and the national debt was declining dramatically and our national economy was booming and the disparity in this country between those that have and those that don't have was narrowing. Narrowing, Mr. Speaker.

So the issue of inequality of income and wealth will be addressed. It will be addressed, and we can do it. We can do it together. We can do it in a bipartisan fashion because the Members of this Congress, I believe, have heard loud and clear this past November from the American people.

Mr. RYAN of Ohio. I would reclaim my time, but I forgot what I was going

to say. So I will yield to my friend from Miami.

Ms. WASSERMAN SCHULTZ. I hate when that happens.

Mr. RYAN of Ohio. Who we haven't heard from in 20 minutes. We are all excited to hear what you have to say.

Mr. DELAHUNT. We are waiting.

Ms. WASSERMAN SCHULTZ. On the edge of our seat.

Mr. MEEK of Florida. Want me to yield back to you, Mr. RYAN? Maybe you can remember. Are you having a senior moment?

Mr. RYAN of Ohio. I am having a senior moment.

Mr. MEEK of Florida. Okay. A 33-year-old senior moment.

I just wanted to mention something real quick that I think is important.

□ 1945

There is going to be a lot of talk tomorrow. We are going to do some good legislation. We have stem cell research that is coming up, and we have negotiating as it relates to prescription drugs is coming up before the weekend. Something that is going to be common now, was uncommon in the 109th Congress, we are actually going to work a 5-day work week or a 4-day work week as it relates to the congressional calendar.

But I just want to mention something. I don't want us to leave this floor tonight unless we have an opportunity to talk about what the President's going to talk about an hour or so from now. I think it is important. I have served, Mr. RYAN and I have served on Armed Services in the last two Congresses; and you, DEBBIE WASSERMAN SCHULTZ, have served here in the last Congress and now this Congress at war.

Mr. DELAHUNT, you were here when this House voted to give the President authority to go or not, what have you. And now we are after the election in November, the American people, everyone thought, Mr. Speaker, that the election was going to be about the economy. They thought it was going to be about health care. They thought it was going to be about whatever the issue may be. But it was about Iraq, and it was about the decisions that were made, and the lack thereof, out of this Congress of asking the questions and oversight.

Now what is going to happen, Members, you are going to have the Armed Services Committee, you are going to have the Defense Appropriations Committee, you are going to have the Government Operations Committee, you are going to have a number of committees that have oversight responsibility on the committee level, providing the oversight for this war.

Now the President is going to come out tonight and he is going to ask, he is going to say, I call it an escalation, he calls it something else, of 20,000 new troops on the ground, boots on the ground. 3,017 men and women are no longer with us tonight; and we appreciate

their honor, we appreciate their service to the country. We have several thousand, over 15,000, who have been injured and that are a part of our medical veterans programs throughout this country. Some are learning how to walk now. Many of our injuries come by what we call IEDs, improvised explosive devices.

Many of the troops, as we look at, you look at your local television station, I know you see it in Ohio. I know you see it in Massachusetts. We see it in South Florida. We even see it here in Washington, DC. There was a new reserve unit that just left in Maryland. And I was watching the interview, and I think about when I have to travel as a Congressman, you know, my family's up here, I go back to the District. You know, that is 2 or 3 days I am away from my family. I say, oh, my goodness, I miss the kids. Imagine if I was leaving for 15 months for the second or third time. Just imagine that. How much of, how my kids would be taken away, you know. They won't get what they need from me. Just thinking about it, I can't help but get a little emotional when you think about this kind of thing.

And we know that they are being sent to do what, secure Iraq. So they are on a security mission. They are not there to say, well, you know, we are here to provide technical assistance. No, they are there to armor up.

I have been there twice. Mr. RYAN, we went together. And when they go out the gates of that base in Mosul or Baghdad or Tikrit, they may not come back.

Now we know it is a volunteer force and we know all of that. But I just want to say, Mr. Speaker, this has great gravity tonight, and I am so glad that I am hearing voices out of this Congress saying, we said during the campaign and during the election season, we will not defund the troops that are on the ground.

But no one, including the President, including the Iraq Study Commission, including all of the folks, General Colin Powell, I mean, General Colin Powell said it is a civil war going on, and if we send additional troops into a civil war it is the wrong thing to do. It is right here.

So if the Republicans or the President wants to say when someone is smart or when someone is credible, when they are carrying their message, here is a man that has served, Secretary of State, General, four-star, Joint Chiefs of Staff, well respected in this country, along with a number of other folks that are out there. So I think, Mr. Speaker, it is important that we shed light on this.

I know Mr. DELAHUNT has an hour that he does on a weekly basis on Iraq. But, Ms. WASSERMAN SCHULTZ, I think it is time, no matter what, if you are a Democrat or a Republican, to be able to say, listen, I just came from the election, especially to Members that are new to the Congress, either in the

Senate or in the House, and they heard what the American people had to say.

So, the President, I think, and this democracy needs to really speak up and say, hey, listen, we hear what you are saying. We know what the study group has said. But it seems like you are kind of out there by yourself.

Because, one other thing I just want to add and then I am going to be quiet probably for another 20 minutes, like Mr. DELAHUNT identified, is the fact that we see how many troops that have died.

All right, let's look at the U.S. contractors, these mercenaries we have out there, that are playing a role of when these countries are pulling out, Great Britain, they are out. They are coming out this year. A number of the other, quote, unquote, allies are pulling out of Iraq. So before we even get an opportunity to light the bulbs up in the committee room and start asking the questions about what has been going on over at the Department of Defense since everything has been classified and secret and no one has come and testified in front of these committees of jurisdiction, the President now wants to say, let's send 20,000 troops.

These are not new troops. These are individuals that are what we call a back draft. Folks want to leave. We have folks signing checks, giving them \$40,000 to stay on. Are you going to go back to wherever you came from where the poverty is? Here is 40 grand. Take it to your family. Sign up for another 3 years. That is what we are talking about here.

And I am seeing these individuals that are hired, that are former military, by these companies, they are dying. When we went to the hospital over in Germany, there were contract fighters that carry out those convoys sitting there without a leg, Mr. Speaker. No one is thinking about these individuals because they are not wearing a U.S. uniform. They are veterans, and they want to work for these private contracting companies. So there is a lot of loss of life going on here, leave alone what could be happening with members of the CIA that we would never know how many of those individuals that have died in this conflict. So we have to bring the oversight management. I am saying that on the side of common sense.

I yield to any Member that wishes to pick up from this point, but it must be addressed.

Mr. DELAHUNT. I appreciate my friend from Florida, and I have, it is getting late for me and I am going to have to excuse myself for the remaining 15 minutes. But I want to pick up on something that you just referenced, and that is the American people have to understand that we are now alone. We are now alone with this issue.

Just this past week there was a report in the British press that the withdrawal of the troops from the United Kingdom would not be slowed. There are no plans on the part of the British,

or anyone else, any other nation, state on this planet, to introduce additional troops as part of this escalation. We are alone. There is no more coalition, if there was ever one to begin with, other than in name only.

America is now alone, because the rest of the world has concluded that the invasion of Iraq was a mistake, a mistake for reasons that I think we all know but are not going to list them here today.

But let's remember this, Mr. Speaker. In the past 6 or 7 months, there was a poll that was commissioned by our own Department of State, and the results were painful because this was the conclusion on two questions. The first question was, do you believe it is better for American troops to leave? This was asked in a way that presumably was done in a survey that was accurate. It was commissioned by our own Department of State. And 70 percent of the Iraqi people said, yes, we would be better off if the American troops left.

But what was more disturbing and painful was that in excess of 60 percent of the Iraqi people, according to this poll, said that it was okay to kill a member of the American military.

What are we fighting for now? What are we fighting for? Saddam Hussein is gone. There were no weapons of mass destruction. There were never any links to al Qaeda.

What have we accomplished? Well, I dare say that what we have done is we have managed to create an even stronger Iran that has a relationship with Iraq, that includes all kinds of agreements, including a military cooperation agreement between the government of Iraq and the government of Iran. Does anyone ever talk about that? Can anyone explain to me what the terms of that agreement are?

What are we fighting for? What are we fighting for?

And, with that, I yield to the gentleman and ask to be excused.

Ms. WASSERMAN SCHULTZ. Thank you to my good friend.

Before you are excused, though, I do want to tell you, you were so kind in your words about the three of us and you have been so helpful to us over the last 2 years and joining us here night after night on the floor. But, quite honestly, I really want to commend you on your eloquence and your commitment on this issue in particular. You have been one of the key leaders of the Out of Iraq Caucus. You have kept this caucus focused on those issues that are incredibly important.

As my good friend, the gentleman from Florida, indicated in his remarks earlier, one of the major reasons that we were returned to the majority of this institution is because of how strongly people feel about the situation with the war in Iraq. And so thank you very much for helping with that effort.

With that having been said, one of the things that I think that is going to be important in about an hour from now for the American people to note

when the President makes his remarks to the Nation is that what we heard the President say repeatedly, Mr. RYAN, Mr. MEEK, over and over again over the last several years, was that his strategy was going to be tied to the advice from his military leaders; that he was going to listen to the generals; that he was going to take a page from their book, take their lead, use whatever expression is applicable.

But I guess he was just kidding, or maybe he was just saying that he meant that until he wasn't hearing what he wanted to hear. Because at the point that his belief in the direction that we should be going in Iraq departed or parted company with the advice of his military leadership, that is the point that he decided to stop listening to them. We have now shifted the military leadership in Iraq. And I certainly realize that, particularly in a democracy, there is going to be a wide range of opinions even among military leaders. But the current military leadership that President Bush has brought in does support the strategy and the direction that he is planning on taking America tonight and in this war on Iraq. And it is just astonishing that this continues the pattern of this administration, where they ask their questions, or make statements and pursue a goal, an agenda and surround themselves only with people who agree with them.

I just, one of the things that I know we are going to hear from the President tonight is a caution that victory, if we achieve it, won't be similar to other military victories. He will talk about, as opposed to the Mission Accomplished banner that was emblazoned over his head on the deck of a battleship, he will caution us tonight apparently that that is not what victory will look like if we ever achieve it in Iraq.

□ 2000

It will not be perfect, and that the outcome will not be traditional. Well, it sure will not. It is hard to imagine that we are ever going to achieve a semblance of victory. One of the things that we intend on doing as Democrats and aggressively doing is holding this administration accountable. The question has been asked repeatedly by commentators and by our friends on the other side of the aisle.

There has been a question mark about whether or not Democrats will have the nerve to actually address the issue of funding these additional troops. And Speaker PELOSI has talked about how we absolutely are committed and will continue to be supportive with funding and every other measure of support for the troops that are there.

There is no question we would never pull the rug out from under the troops that are there fighting on behalf of America and fighting on behalf of democracy. But we absolutely should question this strategy, which is com-

pletely contrary to the goals and desires of the American people, and which is contrary to the advice of the military leadership.

There is no question, I believe there is no question about Democrats' nerve; no question about whether we plan on holding the administration accountable, which hasn't occurred in years. There has been, like you said, no opportunity to question the administration's choices and direction on Iraq; no opportunity to actually cast a vote on whether this new direction would receive and was worthy of funding.

I truly believe that is an opportunity that we will be having and that we should have and that we should accept, because the American people elected us to make bold decisions and make sure that we can move this country in a new direction, domestically and in terms of our foreign and military policy. I look forward to finally being able to reassert this institution, the United States House of Representatives' role in the system of checks and balances, because the unitary philosophy the executive branch in this administration supports is wholly contrary to the Constitution.

Mr. RYAN of Ohio. I appreciate your points. One of the things that we now expressed in the last Congress was having these third-party validators.

Ms. WASSERMAN SCHULTZ. That is right.

Mr. RYAN of Ohio. This is not just Democrats. I have not talked to a Democrat yet who thinks that escalating this war is a good idea, and our new direction is not just continuing down the same war with more troops. But I just want to share a few quotes that I did some research on and pulled out that I think are indicative of what's going on here.

Colin Powell, as my friend from Florida said earlier, quote: I am not persuaded that another surge of troops into Baghdad for the purposes of suppressing this communitarian violence, this civil war, will work. That is Colin Powell, who basically led us into this mess that we are in.

Oliver North said, quote: A surge, or targeted increase in U.S. troop strength, for whatever the politicians want to call dispatching more combat troops to Iraq, isn't the answer. Adding more trainers and helping the Iraqis to help themselves is. Sending more U.S. combat troops is simply sending more targets. That is Oliver North. I found that in Human Events online.

Major General Don Shepherd, United States Air Force retired: I would not even consider increasing troop strength in Iraq. Shepherd, who works as a CNN military analyst, offered this analysis of what should be done next after he was briefed by members of the Iraqi Study Group. He wrote, quote: I would not even consider, again, I would not even consider increasing troop strength.

And I will give you one more, as we are going through this. Michael Vickers, former Special Forces officer, who

said the security situation is inextricably linked to politics. If you can solve some of the Iraqi political problems, the security situation becomes manageable.

If you cannot, all the forces in the world aren't going to change that, and I found that on the NewsHour with Jim Lehrer on PBS of December 12 of 2006.

So this is coming from Republicans. This is coming from Democrats. This is coming from people all over the country.

Mr. MEEK of Florida. Mr. RYAN, I just get so excited whenever you do your own research, and you find quotes and all.

But I can tell you what's important here is to make sure that we follow through on what we told the American people. The American people voted for representation, and I am not just talking about proud Democrats, Republicans, independents, some young people that voted for the first time in their lives because they believe that there will be balance in this democracy that we call on.

So many of the issues that we talk about here, and so many issues that are within our first 100 hours that we want to work on, Ms. WASSERMAN SCHULTZ, and that we said we would do in our Six in 2006 plan, the American people said they were for it overwhelmingly.

We have to be able to understand here in this House that we would carry out what we said would do. Now that is a paradigm shift here in this U.S. House. A lot has been said. Very little has been done, but we are moving in that direction.

I was in a meeting earlier today and saying that we need an escalation in the truth and not the troops. We need an escalation in the truth and not the troops.

The truth is that the U.K. is pulling 3,000 troops out by May. The truth is, several other countries that are, quote/unquote, allies in Iraq, they are paying ransom for their troops that are captured by insurgents, because of the lack of security there. The truth very well may be, Ms. WASSERMAN SCHULTZ, Mr. RYAN and Members, the President is trying to say, well, I am going to send this in light of security, what have you.

Security missions to secure Iraq. What does that mean? Troops having to go out on patrol. What does that mean? IEDs, improvised explosive devices that will be on those roads. What does that mean? Fifteen months away from your family once again on the second or third deployment. What does that mean also when you look at the overall two theaters that we have now? Over 1.4 million troops, U.S. troops, have gone into theater over and over again.

What is our situation right now? Two-thirds of our military not ready to move as it relates to readiness if something was to happen. We have one-third that is ready. I am not giving out national secrets. You can read this in the newspaper.

So what's our job is to govern. What's also our job is to make sure that we provide oversight. That is what this U.S. House is all about. We're the People's House. You have to be elected to get here. One person said, in the Constitution, you can appoint a speaker, whatever the case may be, but mainly there is an election if a Member was to say, I no longer want to serve, whatever that reason may be.

Saying all of that, I am glad we touched on the issue. I think it is important because I know there will be a lot of talk tomorrow, because the President is the Commander in Chief. We committed during the election, when I say we, those of us that are in the majority, that we will not leave, that we will have the troops back, and we will not leave them underfunded, and that we will not pull the funding of the troops that are in Iraq now.

No one, I mean, no one, Ms. WASSERMAN SCHULTZ, no one, I want to say this again, not even the bipartisan study commission, none of them, endorsed what the President is talking about right now.

The President had a meeting with some folks that he has been having a meeting with for the last 6-plus years, having a meeting with the same people, having the same input, the same advisors, and it is a merry-go-round of trust. I don't know if it is, you know, in all due respect to the folks that are making the decisions, I don't know if new people are being put into this circle of trust of saying, well, you know, maybe if I haven't been given good advice in the past, maybe I need to bring some different folks in to give me some input.

No, the only thing that happens in this circle of trust within the Bush administration is that sometimes people get off and they write a book about how bad the circle of trust was. That is what's happening.

Now, Donald Rumsfeld was the last one to jump off the merry-go-round. We don't know what he is going to say, but I think he is going to take it all the way, and he is not going to say anything at all. But there are a lot of bad decisions that have been made, and if you disagree within the circle of trust, you are out.

So I want the American people, I want the Members to pay very close attention, and, I am talking to my Republican friends as well as my Democratic friends, that we have the leader up and represent the American people on this issue as it relates to this escalation in troops. We need an escalation in the truth and not the troops, and that is where it is right now.

Ms. WASSERMAN SCHULTZ. I know our good friend from Rhode Island wants to talk about H.R. 3, which we will be considering tomorrow. But the Iraq Study Group, which you briefly touched on a few minutes ago. It is amazing how that just almost has faded into oblivion; that their recommendations, the number of months

they worked, the expertise that was put together, led by former Secretary of State Mr. Baker and Mr. Hamilton, very well respected.

Nowhere in their recommendations, am I right, was there an escalation of troops. Was there any indication in the Iraq Study Group, who arguably is the finest group of experts that could have been put together to make recommendations, nowhere in there was an escalation of troops. At least from what I noticed, and you can correct me if I am wrong, the President essentially just dismissed their recommendation and moved on and went in the direction that he chose to go.

I would like to take this opportunity to yield to my good friend, to our good friend, the gentleman from Rhode Island, because we are dealing with an important piece of legislation tomorrow that has already been put on the President's desk once. And as part of the new direction for our Six in 2006 agenda, we are going to put it on his desk again, because maybe he will get it right a second time.

Mr. LANGEVIN. I want to thank the gentlelady, and before I begin on my comments on H.R. 3, the stem cell research enhancement act, I want to just thank my colleagues for their important comments on Iraq and the direction that the Iraq war has taken and the failed policy that we have seen in Iraq and the strain that it has put on the families of soldiers, the soldiers themselves. Clearly, we need a change in direction in America. That is what the American people expect.

This 100 hours agenda, obviously, is an important topic. I rise in strong support of the 100 hours agenda. As a four-term Member of Congress, it has been exhilarating for me to return to Washington and tackle the issues of the American people which have long been ignored. I am so proud to be a part of this new direction and a Member of this Chamber.

As we prepare for the embryonic stem cell research debate which will take place tomorrow, I am reminded that one of the primary reasons I ran for Congress, which was to make a positive difference in people's lives. The 110th Congress is being ushered in with a tremendous sense of hope and optimism. In the first legislative week, we have taken great strides towards improving the lives of hardworking Americans by increasing the minimum wage and fully implementing the recommendations of the 9/11 Commission.

H.R. 3, the stem cell research enhancement act, is yet another example of this agenda of hope. This legislation will remove the restrictions that current administration has placed on the advancement of medicine and the hopes of millions.

Tomorrow, we will hear from both sides of the stem cell debate about whether the Federal Government should support this type of research. We will hear promises and stories of tremendous scientific advancement.

We will hear the limitations on these advancements, and we will also hear some distortions. But I come before you tonight with confidence; confidence in the science of stem cell research; confidence that the American people overwhelmingly support this legislation; confidence that tomorrow a great majority of my colleagues will once again vote in favor of the stem cell research enhancement act; and confidence that, one day, once all of our Nation's leaders will rally all around all types of stem cell research, and we will see big changes in the field of medicine and in the lives of so many people who are suffering today.

So tonight, I rise, I rise to help spread this message of hope and optimism to our constituents who are watching at home; for the 400,000 Americans who are living with MS; the 60,000 American family whose have faced the fear of a loved one's Parkinson's diagnosis this year; the thousands of Americans who have seen family members come to Alzheimer's disease; the 250,000 Americans who, like me, live with the constant challenges of a spinal cord injury, and so many others. To all of you, I say: Help and hope are on the way.

I want to thank my colleagues for giving me time tonight and being part of this 100 hours agenda debate, particularly, again, what you have done for enlightening the American people on our position of the war on Iraq and the new direction that we need to take in this country.

Thank you very much.

□ 2015

Mr. MEEK of Florida. We look forward to the debate tomorrow. I know Ms. WASSERMAN SCHULTZ is going to give the e-mail address out, and then we are going to close out.

Ms. WASSERMAN SCHULTZ. We want to thank the people in the chamber for listening, and encourage people to come to our Web site www.speaker.gov/30something, and we also look forward to having a graphic so we don't all have to make sure we remember the Web site. Thank you.

Mr. MEEK of Florida. Life is getting better, Mr. Speaker, and we will get the tools necessary, visual aids as we usually have here on the floor. We keep the chart companies in business.

Mr. Speaker, it was good to come to the floor again, 30-Something Working Group. We will be returning back next week with some of our new members that have joined us. Once again, we want to thank the Democratic leadership for allowing us to have this hour.

Mr. Speaker, historic days in the Capitol. Tomorrow will be the same. Friday will be the same. We thank God for the opportunity to be in the majority.

THE DEMOCRATIC AGENDA AND THE PRESIDENT'S AGENDA ON IRAQ

The SPEAKER pro tempore (Mr. MAHONEY of Florida). The gentleman

from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to address you and of course all the Members here on this floor of the United States Congress. I would point out here in the beginning that it is about 8:15 here this evening, and the President will be giving his major address on Iraq at about 9:01 and so I intend to be asking for an adjournment just right before 9:00 so there is an opportunity to do that transition and that the President does have an opportunity to use this channel to speak to the American people.

To begin this presentation this evening, and we listened to the members on the other side of the aisle talk about supporting the 100-hour agenda, Mr. Speaker, I point out that this 100-hour agenda was a number just kind of picked out of the air or off the wall and it turned into a promise. And inside of that promise of 100 hours and to accomplish these five or six things within 100 hours are a whole series of other promises, and it appears as though the most important promise of all is we are going to do all this in 100 hours. The 100-hour promise. And not the promise for bipartisanship and not the promise for the most open Congress in history, and probably not the promise for the most ethical Congress in history. The jury is still out on that, Mr. Speaker, but this thing that preempts all, that trumps all is this idea of 100 hours.

Well, 100 hours to the American people might mean at midnight on December 31 when the ball dropped and hit the bottom in Times Square, the clock might start to tick on the 100 hours here in 2007, the new 110th Congress. But I don't take that position necessarily, Mr. Speaker. I take the position that when we gavel in and went to work here, if you want to count 100 hours, that is fine; if you want to make a promise to get something done in 100 hours, that is also fine. But that 100 hours didn't start for the first week. It didn't start for the first week because we were voting on things other than the six things on the agenda to be accomplished in the 100 hours.

And so then the promise that it was going to be bipartisan and an open process, we found out, I guess after Congress began, this 110th Congress, that this open process couldn't be opened up until the 100 hours were over, or otherwise they couldn't get everything accomplished in the first 100 hours. So bipartisanship went out the window a victim of the 100-hour promise, and so did the open kind of a system. The bills didn't go through subcommittee. They didn't go through committee. They didn't go through rules. No amendments are allowed. And yet that was all decided before the 100-hour clock began.

So we set up a clock, a legitimate clock, one that actually keeps the time here that Congress is in session. From when we gavel in this 110th Congress, we gavel in the morning, open with a

prayer and the pledge, and we gavel out in the evening. That clock has got a tick on that. We are paying people here to work around this Capitol the whole time the 100 hours is moving.

So I set up this clock so the American people can keep track of what the hours are, and I point out this: When we started this morning, we were at 31 hours that ticked away since. And these are just business hours. It is not a stretch; it is not 24 hours a day. It is the hours that this floor is in operation. In fact, yesterday, it was scheduled to be at 10:00, so a lot of people made their plans to be here at 10:00. It didn't work on Monday because of the football game. And I will just reserve my opinion of that tonight, Mr. Speaker. But the 10:00 time to start got moved back to 10:30, got moved back to noon and then got moved back to first votes at 5:30 yesterday afternoon. So some of that is not taken into account here, but as of about now, this 100 hours has clicked up to 42 hours, Mr. Speaker, have ticked away. And there have been a couple of things that have been passed, and some will claim that to be an accomplishment. And I don't intend to take up that issue either tonight, Mr. Speaker. But I would point out to the American people that we are at 42 hours and counting.

If you can't count time, you also can't count dollars or people. And it is important to understand the cost to the United States of America and the taxpayers that fund it. And we will be doing some of these tallies after hours tonight to come back with some better numbers tomorrow, and I will bring this chart then to the floor every day until the 100 hours ticks over, and we can make this 100-hour promise something that goes into the dust bin of history.

But this 100-hour promise has trumped the other promises. It has been more important than an open system of government. It has been more important than allowing anyone to offer a single amendment to any bill that has come forward here, and each one of those bills are going to change the destiny of America. Maybe a little bit, maybe a lot. But each one will change the destiny of America some. And the people I feel sorry for, all of those new freshmen Democrats, the ones that were elected to office having promised that they were going to represent their constituents here, they would have a voice, they would be effective. They bring with them the vitality of America. They bring the new ideas into this Congress, the fresh blood. The best responsiveness to constituents that you ever will see on average comes with the freshmen. We are glad when they come here every new Congress because it adds new vitality.

But that large crop of Democrat freshmen and that smaller crop of Republican freshmen I think have gotten their eyes opened up a little bit. I think they believed they would come here and they would be able to come to

a subcommittee and do a markup on a bill and offer an amendment to improve the bill and see it go over to full committee, offer an amendment, improve the bill and bring it to the floor, where amendments would be offered and the bill would be improved and perhaps perfected and passed out of this Chamber, on over the Senate, where we would have negotiations working with them and they would have done the same thing.

The sad news for those freshmen is that they don't have a voice in this process. Not a single freshman had an opportunity to offer amendment to engage in debate in a subcommittee, to engage in debate in a committee; didn't have an opportunity to go before the Rules Committee and make their argument as to why their amendments should be made in order. None of that was allowed to the freshmen. And, in fact, the small little group of people that put together this policy didn't consider the wisdom of Congress; they considered the wisdom of the people within that room, and I guarantee you, Mr. Speaker, that didn't include the freshmen, either the Democrats or the Republicans, who now have to reassess what kind of a system they thought they had gotten elected to.

And I hope this 100 hours ticks away, and I hope it can be put away into the dust bin of history, and I hope those other promises can be rejuvenated and brought back to life, those promises about having an open system, a system that is bipartisan and a system that allows for amendments so that we can improve the legislation that comes.

We are at 42 hours, Mr. Speaker, and the clock will start again. Actually, it will shut off when we adjourn here about 9:00 and it will take up again tomorrow morning when we gavel back in.

But, Mr. Speaker, I come here to talk about a big subject. It is a subject that has been consuming the thoughts and the prayers of the American people since September 11, 2001, and that subject is a subject the President will take up here in a little more than 35 minutes. It is the subject of this global war on terror, and primarily the battleground, the main battleground, which is Iraq, in this global war on terror.

I have certainly been involved in this since the beginning of the operations in Iraq. I have been over there four times. I have traveled into Afghanistan as well. Each time I go over there, I always stop at Landstuhl in Germany and visit our wounded troops there. And the last time I was over was over Thanksgiving, just a little over a month ago, when I ate Thanksgiving dinner with wounded troops in Landstuhl at the hospital in Germany, and that was the most meaningful Thanksgiving I have ever had in my life. I don't expect to ever top that for a moving Thanksgiving where one can really be in awe of true courage, true patriotism and true sacrifice.

And I believe we are going to hear a speech from the President in a few

minutes from now that is going to be, I think the tone of it could have been written by those people that have sacrificed the most, our soldiers and Marines and airmen that have perhaps given a limb, perhaps been wounded and crippled for life. I have not yet met a wounded soldier who said to me, "This is a lost cause." They believe in the cause. They want to get back to the fight. They want to get back to the people they feel responsible for, and they want to complete the mission.

The wounded troops will stand with the President in the speech he is about to give and the families of those who have given the ultimate sacrifice, the Gold Star families, the families that have traveled across America and been here in Washington, D.C., a number of times and were in my office a week before I went over to Iraq. Some of those Gold Star families, those that have lost a son or a daughter over in Iraq or Afghanistan, some of them have also traveled over to the Middle East, also traveled into Iraq and got to visit the Iraqi people. And one of the fathers who lost his son killed over there in Iraq said to me: "We cannot pull out of there. It is different now. We are committed to that cause. Lives have been lost. The soil in Iraq is now sanctified with American blood. It is not so simple that we could just walk away. We cannot. We must stay. We must prevail. We made the commitment to go there; we are invested in it; we must prevail."

As I looked him in the eye, I know what kind of pain he has been through, that soaked in with me, Mr. Speaker. And so I traveled over there in the aftermath of their trip, and as I went alone this time, I didn't go with a congressional delegation, I just went alone, and I had an opportunity to sit down with General Abizaid and close the door and talk and ask questions and probe a line of reasoning and then take on another line of reasoning. I had the opportunity to do the same thing with General Casey, although staff was in the room for that one. I also sat down with General Corelli and did the same thing. I had two meetings with Ambassador Khalilzad. And then each time I walked into a mess hall, or I would just holler out, "Is anybody here from Iowa?" And invariably there would be Iowans there. And there is an instant connection between you and someone from your State. You know where they are from. You know what they believe in. You have an understanding about their background and where they come from. You know what sports teams they support, or at least you can find out quickly, and we have those little arguments, Mr. Speaker. But when I index the things that I hear from our top officers that are in the field and what I hear from the people on the ground, and as I talk to people through all ranks and travel across Iraq and also Afghanistan in this last trip, put back together a kind of strategy and come to a conclusion as to

where we need to go and what we need to do.

And let's look at this thing, Mr. Speaker, from two broad perspectives. One of them is the idea that I am hearing over here on this side of the aisle, and this is not a new idea from the people on that side of the aisle, Mr. Speaker; they slipped language into the Department of Defense appropriations bill that would have by now prohibited all operations in Iraq. And that was Mr. MURTHA's language that went in there that prohibited any basing rights negotiations in Iraq, which would have meant, had that language prevailed that when our agreement on any of our bases in Iraq had expired, we couldn't negotiate a new one. So, over time, we would have had to give up base after base after base until we had to pull our troops completely out of Iraq.

That is not a lot different than the amendment that came out of an appropriations bill on this floor, Mr. Speaker, back in 1975 when a large Democrat majority took over and decided that they would take us out of the operations in Vietnam, and they introduced legislation successfully that forbid a single dollar from being used to support the South Vietnamese military. Not a dollar that can go for a bullet, for food, for a helmet, for a pair of khaki uniforms, no air cover, and nothing could go on offshore in South Vietnam either. So they shut down their operations in South Vietnam. And the South Vietnamese had defended their own country for 3 years, but when their resources dried up, their military collapsed.

□ 2030

Some of those things are being maneuvered right now, and I can hear this come out of the debate on the other side of the aisle.

But here are the scenarios: One scenario is listen to the people over here, Mr. Speaker, who would say, well, let's unfund this operation. Let's bring our troops home now. Let's get out of there because it is sectarian strife and you can't resolve a civil war and it is just brother fighting against brother and why do we want to get involved in a family feud? All of that that substitutes for rationale.

But what they are really looking at is if they get their way, the reality in Iraq is different than their perception, I believe, and I would like to have them pay a little more attention, maybe go over there with a real intention to learn.

But a year ago in Iraq there was violence over most of the entire country scattered around. And the argument I heard from this side of the aisle over here was, well, let's get out of there right now, get the Americans out because, after all, they are the targets and Iraqis just want to have their own country. They object to Americans walking on their soil. So if we would leave, there would be nobody for them to shoot at, and then peace would

break out all over Iraq, and the government would take over, and everything would be peaceful and fine. That was their argument then. Well, it was flawed, of course. But there was violence over most of Iraq.

A year later, now, most of the violence is confined to Baghdad. Eighty percent of the violence is in the Baghdad area. So peace has broken out over most of Iraq. And if you talk to the soldiers that have been over there that are running missions and convoys and doing patrols, they will tell you that most of Iraq seems very, very normal, that you go down the street and off on the road and the Iraqi kids come out and wave and the Iraqi people are open and friendly. The men are open and friendly. The women are a little more shy and a little demure. That is their culture. But they travel where they want to go, and the only thing that makes them realize that there is a war is when an IED goes off. So we are getting there, and the Baghdad area is the area that needs to be controlled and pacified. The rest of the country is pretty good.

If we pulled out now or if we pulled out in the near future, the involvement and the interference that comes from Iran would be imposed on the Shiia section of Iraq, which is actually a little more than the southern area of Iraq, which has got most of the oil in it. It would be Baghdad and some of the areas to the north of there and all the way south down to Basra, into the hands of the influence of the Iranian Shiia, who are right now funding and training, equipping and arming terrorists in Iran and sending them into Iraq and supporting some of the militia personnel there like Muqtada al Sadr.

I happen to have his picture here. This fellow has been a nemesis for a long time. And I put the date down here. That was the date that I was sitting in a hotel in Kuwait City watching Al Jazeera TV. Muqtada al Sadr, the head of the Mahdi militia, came on Al Jazeera TV, and as I watched that he said in Arabic with the English crawler underneath: "If we keep attacking Americans, they will leave Iraq the same way they left Vietnam, the same way they left Lebanon, the same way they left Mogadishu." Muqtada al Sadr.

Now here he is being supported by the Iranians, funding his militia, helping to train his militia, and paying some of them to plant IEDs and attack Americans. Iran is conducting a proxy war against the United States from the sanctuary of their sovereign nation of Iran and sending in the munitions and the militia and the insurgents to attack Americans there, and this man is their surrogate, and he must go.

It is more complicated than the people on the other side of the aisle would say. They would argue that it is just Shiia and Sunni that are fighting each other. There are six to eight different factions fighting each other there. Sadr is one. The Badr Brigade is another. Al

Qaeda is another. There are Sunni criminal groups that are fighting. There are other groups, the former Baathists, that are fighting.

You can add these pieces up, Mr. Speaker, but in the end it is more complicated than just simple sectarian strife. It is a power struggle, a power to provide security and safety within some areas of the community, the effort on the part of Muqtada al Sadr and others to drive some of the Sunnis out of Sunni sections of Baghdad so that they can have their internal hegemony within the city of Baghdad.

But this all happened because there was somewhat of a vacuum there and we didn't go in and take this man out when we needed to do that. And he has been to some degree protected by Prime Minister Maliki, who this afternoon made a statement that essentially puts Muqtada al Sadr on notice. He tells the Shiite militias to give up.

"Prime Minister al-Maliki has told everyone that there will be no escape from attack," said a senior legislator who is close to Maliki. "The government has told the Sadrists," Muqtada al Sadrists, "if we want to build a state, we have no other choice but to attack armed groups," this being the armed groups, Mr. Speaker.

So I will say there are two main points that I want to hear the President address tonight, and one of them is militias must be taken on and taken out and they are getting an opportunity to surrender right now because Prime Minister Maliki has put them on notice. They must be taken on and taken out if they don't surrender. This is the lead that has got to go.

The second one is Iran must cease and desist from their proxy war against the United States from the sanctuary of the sovereign nation of Iran by sending in insurgents who are trained, equipped, funded, and armed by the Iranians.

And, by the way, IEDs that are being detonated that are blowing up Americans and killing Americans are being made in Iran and smuggled into Iraq. If we pull out of Iraq now without a successful safe country there, the result will be Iran will control the Shiia section of Iraq. They will control most of the oil in Iraq. They control the Straits of Hormuz now. They would control the outlet, the mouth of the Tigris and Euphrates River, the Umm Qasr ports, the export area for Iraq's oil. They would have a stranglehold on 40 percent of the world's oil, which is a death grip on the world economy.

They would be in a position to continue to enrich themselves, and their money chest would be pouring over. They could then accelerate their nuclear weapons development. They could either build more and build them faster or buy them where they could get them, perhaps from North Korea, and you would see Iran much more quickly become a dominant nuclear power with an ability not just to put a nuclear missile into Tel Aviv but the ability to

do so into Western Europe and within just a few years the ability to do so clear into the United States of America with a death grip on the oil and the world, 40 percent of the oil, which controls the market, Mr. Speaker.

That is what we are looking at if we pull out of there. The stakes are too high, and that is why the President rejected, I will say politely ignored, the Iraq Study Group's recommendations.

But we should keep in mind, Mr. Speaker, that there was a million dollar appropriation here that went to the United States Institute for Peace and out of that came the Iraq Study Group. Now, why, if we wanted to figure out how to win a war, would we go to the United States Institute for Peace and ask them to give us some advice? That makes about as much sense as going to the Syrians or going to the Iranians and saying, can you help us solve this problem? Why don't you give us some constructive recommendations?

It is not in their interest to give us constructive recommendations. It is in the interest of the Iranians and the Syrians to undermine our effort there so that they can get us out of the Middle East and they can impose their influence on Iraq, not the other way around. We will not get constructive advice from Iran or from Syria any more than we got advice on how to win a war from the Iraq Study Group because I believe that they thought that their charge was how do we get out of this? Let's figure out how to get out of this. Not how do we win?

But the President, to his credit, went to the Pentagon and said, I don't want to hear from you how we get out of Iraq. I want to see a strategy for victory.

I wish he had done that a couple years ago, but I am glad he did it now. I am looking forward to his speech; and, as I said, I will be sure we adjourn here before the President's speech that will happen right at 9 o'clock.

But, at this moment, I would very much like to yield to my friend from Tennessee, Mr. ZACH WAMP.

Mr. WAMP. Mr. Speaker, I thank the gentleman very much for yielding.

And I just want to open by saying how encouraging it is to see a Member like yourself take such a hands-on interest in the affairs of the Middle East, and I think anyone here tonight or watching these proceedings would understand your perspective and how informed it is. Plus you approach it from the purity of an Iowan. And I am very grateful for your due diligence and for the work that you have done and the way that you understand these threats.

I was reminded, as you were speaking, that just a couple of years ago you and I were in Africa together talking about these threats and how we were concerned that Africa was also at risk with some of the areas like Somalia, which is in the news again this week, where these international terrorist networks are, frankly, looking for another sovereign nation from which to

operate, as they had with Afghanistan, and how global this threat really is.

I did not come, Mr. Speaker, to the floor tonight to in any way alienate or accuse anyone here or the other party in this case, because if ever there was a time in my life where we need Democrats and Republicans to come together on an issue of national/international importance, it is this issue. This is where I hope that there are never partisan motives attached to anyone's position on matters of war and peace.

I want to go back to the very time when we voted in the House and the Senate to remove Saddam Hussein by force and remind everyone that over half of the Democrats in the Senate voted to do so and almost half of the Democrats in the House voted to do so. And they can say now, oh, but we didn't have good information or whatever their rationale is for wanting to pull out abruptly now, but the truth is we are where we are and this situation is as it is and we are in it together. And if ever there was a time where Americans need to meet again at the water's edge, it is now.

I don't want to preempt what the President says tonight. The President is in a very difficult place because the war has not gone well. We have made mistakes. We have not implemented certain policies to the best of our ability. And I think it is important for him to recognize those flaws and those shortcomings with the mission to this point because, in my opinion, all great leaders at some point say we are on the wrong road and we need to get to this road or we have made this mistake or that mistake and if you will join me, we can rectify this problem. Because the stakes are enormous, as you said.

The great football coach Vince Lombardi, and football is just meaningless compared to these matters of war and peace and life and death, but he said once that fatigue makes cowards of us all. We need to remember that as a people, as a Nation, because we are all tired of this. I mean, I am weary of attending funerals in my district. I attended one with my wife again Monday, another one of a young soldier who died in Iraq over the holidays. His son was born the day after he died. We are all sickened by this sacrifice and this loss. But I have got to tell you if that collectively causes us to lose our passion for freedom or our will to carry on our way of life, it will be a tragedy in American history, and these are the decisions of the moment.

Now I know that our friends from time to time quote people, but one of the people, ironically to me, that serves as kind of the conscience of some of these international issues is Senator LIEBERMAN of Connecticut, who ran against, with my fellow Tennessean Al Gore, the President and the Vice President. He just returned from this area and he came back in support of not only continuing our efforts until we can prevail in Iraq

but, if necessary, and I am not endorsing increased troops tonight and I think the President is going to make his presentation and he has got a long way to go to convince the country and the Congress that this is necessary, so I am not endorsing that. But I am saying that Senator LIEBERMAN came back and effectively endorsed, in order to control these areas of insecurity particularly within the 30-mile radius of Baghdad, increasing troop strength and he talked about "greatly advancing the cause of moderation and freedom throughout the Middle East and protect our security at home." And I am very concerned that if we retreat into the 1990 style complacency that 9/11s will continue.

One of the problems is that we did not have enough troops on the ground, and one of the expressions I wish hadn't been uttered was "Mission Accomplished" because there were many difficult days ahead of us following that unfortunate time. We didn't have enough troops to secure the area in and around Baghdad, and that is where 80 percent of the violence is taking place.

□ 2045

Sending more troops to Iraq will not help unless it is coupled with a concrete and feasible plan and a new strategy that requires the active participation of the Iraqi government. And the goal should be clear, an Iraq run by, secured by and governed by the Iraqi people.

Frederick Kagan from the American Enterprise Institute wrote this week that, "The real choice we face is this: Is it better to accept defeat than to endure the pain of trying to succeed."

I will say it again. "The real choice we face is this: Is it better to accept defeat than endure the pain of trying to succeed."

I don't think we can accept defeat. I don't think we can be seen as in retreat, and I want to explain why. For one, all of those troops that have given their lives that I have been with the families of say to me, We must prevail. We must continue on. My son, my husband, my father, believed very much that this was a just cause and the right thing to do, and we must succeed. They have suffered great loss, and they believe that it is the right thing to do.

But I want to say this, this cannot be George W. Bush's war. This must be America's fight. We must see people in a bipartisan way come together around a plan. I don't know if 20,000 troops is the right number, or 5,000 or 100,000; but we need to come back together because we are where we are and it is what it is, and if we are ever going to bring troops home in victory in 18 months or 24 months, we may have to put our foot down in the short run. Senator LIEBERMAN believes so. The President believes so. And I hope that the case is made clearly so that more and more Americans understand this.

Over the last few days, Zawahri, who is now the commander effectively of al

Qaeda in the Middle East, has encouraged these terrorists to go to Somalia, as I said earlier, in northern Africa to fight the fight. The truth is this: If we were out of Iraq tomorrow, this threat continues. This threat did not just happen. September 11th was not the beginning of this. It was the culmination of them attacking us and our interests around the world and our sovereign land around the world, at our embassies. The same people, the jihadists, the extremists.

Read the book "Hatred's Kingdom" about wahabism, Qutubi and Azzam. In the 1950s, they began indoctrinating people on this unbelievably radical element in Islam to oppose anyone who did not believe as they believed, and that is the Hezbollah foundation out of Iran, as you say.

When people say these connections were not in place before September 11th, these connections with these terrorist elements have been in place for years. Don't deny that. You are burying your head in the sand. Read "Londonistan" and how they have infiltrated London. Read "While Europe Slept" and how they have infiltrated Europe. Read "America Alone" or "Looming Towers" and understand that these threats are our generation's call to courage, and we cannot grow weary such that we retreat. Too much is at stake.

The President is trying to get us back on the right road. One speech is not going to do it. Tonight is not going to do it. But I am hopeful for our country's sake, not my party's sake, not the Democrat's sake, but for our country's sake so we can find a path forward together. This cannot be the President's war. It has to be our country's fight against the jihadists wherever they go, and Iraq is one theater, and they want to fight us, and we need to defeat them. Let's meet together and send them back to their caves or into eternity so that our way of life is carried forward to the next generation.

This is a generational challenge. We can't deny from time to time in history you have to step up and these brave sons and daughters have done just that, and they have volunteered to serve. We honor their sacrifice, but please, House and Senate and country, come together and find a path forward as one Nation.

Mr. KING of Iowa. I thank the gentleman from Tennessee for his commitment to this country and the passion that he brings to everything he does. I point out, that meeting in Africa, we arrived from different locations and almost by coincidence, by providence, we arrived at the same location to address the things we were concerned about in South Africa at the time. I also note that Mr. WAMP shows up to address these issues spontaneously on occasion. I very much appreciate your leadership, ZACH.

As we sit here tonight, I will review some of the things that Mr. WAMP addressed. He listed a number of books that he recommended that we read.

Among them was the book "While Europe Slept" by Bruce Bawer, and that is, I think, one of the most profound reads I have ever gone through. It tells the story how the author has traveled from New York City into Holland to make his life there, and realized he could never become a Dutchman in Holland the same way you can become an American in the United States. So he moved to Norway to become a Norwegian and found out that although he could develop his language skills and understood the culture and history of Norway, he would never be a Norwegian because they don't have a system of assimilation that we have or at least had in the United States.

So he traveled throughout the countries in Europe and gathered anecdotes and data and studies and compiled an understanding of what is happening with the ethnic enclaves that have been created in Europe, those enclaves that are Muslim enclaves.

Our idea has been in this country to promote assimilation. Everybody can become an American. That, we have considered to be multiculturalism. But the multiculturalism in Europe is different. That is, let us create an ethnic enclave here, and look at us. We are no longer this blue-eyed, blond society, or whatever it happens to be in the Scandinavian north or whatever the complexion might be in some of the other areas in Europe. We now have multiculturalism by ethnic enclave, and the ethnic enclaves being primarily Muslim have not integrated into the rest of society, and they have brought more and more from their home country and grown their enclaves to the point where Bruce Bawer's analysis comes down to that skepticism that France will ever be French again within the next generation, and that the takeover that takes place without the assimilation by rejecting the host country's culture and importing the culture of the newly arriving immigrants transforms these countries and explains why you can see second generation British of Pakistani descent setting off bombs in the subways in London.

It explains that, and it shows what is happening to the culture in Europe because they have opened up their borders and not promoted assimilation. When it is done, Bruce Bawer's analysis comes down to the choice for Europe will be either one of two things: total capitulation or mass expulsion. That is what Europe is faced with, and I am not optimistic that Europe will recover and come back to being a partner for the free world again because the people that are in those countries that are slowly by birth rate taking over don't believe in the freedoms that we believe in, Mr. Speaker. They reject them. They reject Western civilization and our Christian culture. They reject the Judeo-Christian belief system. The wahabists that Mr. WAMP talked about, they believe they have an obligation or at least a right to annihilate those who don't believe like they do.

That is the enemy that we are up against. And this geopolitical dynamic needs to be understood by the Members of this Congress, and I am thinking the best way they can understand it is when the American people study it and get their voice into the ears of their representatives, the 435 here in the U.S. States House of Representatives.

But to take on a little more of this, I would point out that a major question needs to be asked and answered, and I hope the President has asked the question and I hope he has answered the question, and that is: Can we live with, here in the United States, a nuclear armed Iran? That is part of this overall equation. It isn't just confined to Iraq.

As I spoke earlier, Iran is conducting a proxy war against the United States in Iraq by training and funding and harboring terrorists and sending them munitions and equipping them and also making IEDs and other munitions that go into Iraq that are being used against Iraqis of all stripes and being used against Americans. That has to stop.

But can we tolerate a nuclear-powered Iran, an irrational nuclear-powered Iran that has Ahmadinejad who is fuming and making allegations about the annihilation of Israel and the annihilation of the United States.

All we have to do is listen to these tyrants and believe what they say. Every action that they make makes it clear that they will develop a nuclear bomb. They will develop more than one. They are developing the means to deliver it now, as they are developing a bomb now. Why would we disbelieve them? Why would we think that we could talk them out of it? When you go into negotiations, you never get something for nothing. You have to have something to offer.

I ask the President, and I hope he will tell us tonight, that he has put the cross hairs on Iran, and directly on their nuclear capability and sent through a back-channel message to Ahmadinejad and the mullahs that run him that Iran's nuclear days are numbered and that there is a decision that has already been made that they will not have a nuclear capability. And if they cease and desist from their proxy war against the United States that they are conducting within Iraq, then they will be allowed, perhaps, enough negotiation time that they can save some face before they dismantle their nuclear endeavor.

Should they proceed, then the decision needs to be made whether to take out Iran's nuclear capability. We saw 4 days ago, there was intelligence or I will say a press leak that came out of Israel that they have a contingency plan to take out Iran's nuclear capability with limited tactical nuclear weapons. If they have to do that, I am afraid there is an all-out conflagration in the Middle East, and all Arab countries will descend upon Israel. If somebody has to do it, it is better if we do it. It is better if Ahmadinejad dismantles his nuclear capability.

That is where I would start: Cross hairs on Ahmadinejad, put the cross hairs on their nuclear capability, and then if they back out of Iraq, then we can have a peaceful Iraq. We still have to remove Muqtada al-Sadr and some other militia leaders. If those two things happen, that shuts off the money, the munitions and the operations of violence that are there. As long as there is money there, somebody is going to set an IED. I can see that. But most is controllable by the Iraqis.

I have watched as thousands of Iraqi troops have been trained, lined up in ranks. I first saw them and reviewed those troops in October 2003. Those troops were trained by General David Petraeus. He headed up the Iraqi military training operations when he was over there during the last deployment, and now he has been appointed to command all military operations within Iraq. He is the most impressive military person I have met in my life. If anyone can run this operation in Iraq successfully, it is David Petraeus. He has the love and respect of many of the Iraqis, the Kurds and Sunnis and Shias. And in Mosul, where the 101st Airborne, which he commanded when they went in to liberate Iraq, there in Mosul, they went in and liberated Mosul in the latter part of March 2003. By the end of May 2003, General Petraeus had held open elections in Mosul in those three provinces there, and elected a governor and a vice governor, and I also recall a business representative at the table in those discussions that we had. That was an impressive means to win the hearts and minds of the people, and also from a military tactical perspective.

But to give you an understanding of how effective General Petraeus has been, there is a sign, and I have a picture of it as a street sign on a broad street in the city of Mosul in Iraq, and it said: 101st Airborne Division. They misspelled "airborne" and "division" so I was pretty sure that it was a sign put up by the Iraqi people in appreciation for the 101st Airborne led then by General Petraeus who will be taking over and commanding all military forces within Iraq.

We can win this. We must win this. We do not have a tactical threat against us. We can and will prevail. The American people need to stand together. Mr. WAMP said that, and I agree with him.

□ 2100

We need to stand with our Commander in Chief. It isn't really up to the President to convince the American people that we should move forward on this, but it is up to us to support our military. And if we are going to support our military, we must support their mission, Mr. Speaker.

So I look forward to the President's speech. It is a pleasure for me to have the honor and privilege to turn over, I will say this network, to the President of the United States as he lays out a

plan for victory in the battlefield of Iraq, which will take us on to a final victory in the overall global war on terror.

Mr. Speaker, I yield to the gentleman from California (Mr. HUNTER), who was the distinguished chairman of the Armed Services Committee.

Mr. HUNTER. Mr. Speaker, I want to thank my friend for yielding.

In a few minutes the President will address the Nation about his plans for Baghdad and the fact that he needs reinforcements, some of them to go to Anbar Province, some of them to work on a three-to-one basis with the Iraqi forces, three Iraqi battalions in each one of these sectors in Baghdad for each American battalion standing behind them.

The President has asked for reinforcements, and it would be outrageous if the Democrat leadership in this House denied this country reinforcements for a military operation in a shooting war which continues to this minute.

Mr. KING of Iowa. Mr. Speaker, I thank Mr. HUNTER. I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GARY G. MILLER of California (at the request of Mr. BOEHNER) for today after 4 p.m. and the balance of the week on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. MCGOVERN, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

Ms. Norton, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Mr. WELCH of Vermont, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Mr. COHEN, for 5 minutes, today.

(The following Members (at the request of Mr. ADERHOLT) to revise and extend their remarks and include extraneous material:)

Mr. KUHL of New York, for 5 minutes, today.

Mr. KELLER of Florida, for 5 minutes, January 11.

Mr. ADERHOLT, for 5 minutes, today.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 1 minute p.m.), the House adjourned until tomorrow, Thursday, January 11, 2007, at 10 a.m.

BIENNIAL REPORT ON THE APPLICABILITY TO THE LEGISLATIVE BRANCH OF FEDERAL LAW RELATING TO TERMS AND CONDITIONS OF EMPLOYMENT AND ACCESS TO PUBLIC SERVICES AND ACCOMMODATIONS

OFFICE OF COMPLIANCE,
Washington, DC, January 4, 2007.

Hon. NANCY PELOSI,

Speaker, House of Representatives, The Capitol,
Washington, DC.

DEAR MADAM SPEAKER: Section 102(b)(2) of the Congressional Accountability Act of 1995 (CAA), 2 U.S.C. 1302, requires that, "Beginning on December 31, 1996, and every 2 years thereafter, the Board shall report on (A) whether or to what degree the provisions described in paragraph (1) are applicable or inapplicable to the legislative branch and (B) with respect to provisions inapplicable to the legislative branch, whether such provisions should be made applicable to the legislative branch. The presiding officers of the House of Representatives and the Senate shall cause each report to be printed in the Congressional Record and each such report shall be referred to the committees of the House of Representatives and the Senate with jurisdiction.

The Board of Directors of the Office of Compliance is transmitting herewith the Section 102(b) Report for the 109th Congress. The Board requests that the accompanying Report be published in both the House and Senate versions of the Congressional Record on the first day on which both Houses are in session following receipt of this transmittal.

Any inquiries regarding the accompanying Notice should be addressed to Tamara Chrisler, Acting Executive Director of the Office of Compliance, 110 2nd Street, S.E., Room LA-200, Washington, D.C. 20540.

Sincerely,

SUSAN S. ROBFOGEL,
Chair of the Board of Directors.

OFFICE OF COMPLIANCE,
Washington, DC, December 21, 2006.

Hon. J. DENNIS HASTERT

Speaker of the House, House of Representatives,
The Capitol, Washington, DC

DEAR SPEAKER HASTERT: Pursuant to section 102(b) of the Congressional Accountability Act, I am pleased to announce that the Board of Directors of the Office of Compliance has completed its biennial report. Accompanying this letter is a copy of our section 102(b) report for the 109th Congress.

The section 102(b) report and its incorporated recommendations are an integral part of the Congressional Accountability Act. As a principle function of the Board, this report provides insight into the ever-changing climate that exemplifies the working environment of the legislative branch. As such, the Board views the submission of this report as the primary method of keeping the Act alive beyond its inception. With this submission, the Board presents its prior recommendations and specifically makes recommendations concerning the need for additional tools and mechanisms to increase the

Office's efforts to ensure continued safety and health of legislative branch employees and visitors; as well as the need for regulations in the legislative branch for veterans entering and returning to the workforce.

With more than ten years of experience living with congressional accountability, the Board and the Office are committed to the recommendations we outline in this report. As the sixth such report to Congress, we are seeking appropriate time for review, consultation, and action in the 110th Congress.

On behalf of the Board of Directors, I submit this important document for you review and attention.

Sincerely,

TAMARA E. CHRISLER,
Acting Executive Director.

OFFICE OF COMPLIANCE SECTION 102(b)
REPORT, DECEMBER 2006

This is the sixth biennial report submitted to Congress by the Board of Directors of the Office of Compliance of the U.S. Congress, pursuant to the requirements of section 102(b) of the Congressional Accountability Act (2 U.S.C. 1302 (b)). Section 102(b) of the Act states in relevant part:

Beginning on December 31, 1996, and every 2 years thereafter, the Board shall report on (A) whether or to what degree [provisions of Federal law (including regulations) relating to (A) the terms and conditions of employment (including hiring, promotion, demotion, termination, salary, wages, overtime compensation, benefits, work assignments or reassignments, grievance and disciplinary procedures, protection from discrimination in personnel actions, occupational health and safety, and family and medical and other leave) of employees; and (B) access to public services and accommodations] . . . are applicable or inapplicable to the legislative branch, and (B) with respect to provisions inapplicable to the legislative branch, whether such provisions should be made applicable to the legislative branch. The presiding officers of the House of Representatives and the Senate shall cause each such report to be printed in the Congressional Record and each such report shall be referred to the committees of the House of Representatives and the Senate with jurisdiction.

Bracketed portion from section 102(b)(1).

INTRODUCTION

Prior to the enactment of the Congressional Accountability Act of 1995 (CAA), Congress recognized the need to legislate many aspects of the workplace, and it did so by passing laws to address workplace rights and the employment relationship. These laws, however, were not applicable to Congress. Congress had excluded itself and other instrumentalities of the legislative branch from the requirements of these laws. Passage of the CAA, with nearly unanimous approval, in the opening days of the 104th Congress, reflected a national consensus that Congress must live under the laws it enacts for the rest of society.

The CAA is not meant to be static. The Act intended that there be an ongoing, vigilant review of federal law to ensure that Congress continue to apply to itself—where appropriate—the labor, employment, health, and safety laws it passes. To further this goal, the Board of Directors of the Office of Compliance ("Board") was tasked with the responsibility of reviewing federal laws each Congress to make recommendations on how the CAA could be expanded. Since its creation, the Board has duly submitted biennial Reports to Congress, starting in 1996, detailing the limited and prudent amendments that should be made to the CAA. There was also an Interim Report in 2001, regarding Section 508 of the Rehabilitation Act of 1973. In past reports, the Board has taken a broad

approach in presenting its recommendations to amend the Congressional Accountability Act, and has encouraged Congress to consider and act upon those recommendations. By including Appendices A through C in this Report, the Board incorporates these prior recommendations as part of this Report: amendments to the Rehabilitation Act, title II and title III of the Civil Rights Act, record-keeping and notice posting, jury duty, bankruptcy, garnishment, and employee protection provisions of environmental statutes. The Board continues to ask that these prior recommendations be implemented.

Now that Congress has had substantial time to reflect on the contents of the Board's prior reports, it is critical that Congress continue the example set in 1995 with the enactment of the original provisions of the CAA. Without action on the Board's recommendations, the worthy goal of the Congressional Accountability Act gradually may be eroded.

The overwhelming bipartisan support for the CAA's passage in 1995 is a testament to the importance of—and support for—the principles the CAA embodies, both in Congress and in the electorate as a whole. While recognizing the enormous importance of many of the other issues faced today by Congress, the Board is hopeful that issuance of this 2006 Section 102(b) Report will result in legislative action to finally implement these recommendations, so that the CAA remains current with the employment needs of the legislative branch.

EXECUTIVE SUMMARY

In this 2006 Report, the Board is prioritizing its recommendations, without in any way diminishing the importance of the recommendations made in prior Reports. In this current Report, the Board focuses on two areas of vital and immediate concern to the covered community—safety and health, and veterans' rights—and urges Congress to take action on them.

The Office of Compliance Office of the General Counsel ("OGC") is responsible for ensuring safety and health of legislative branch employees through the enforcement of the provisions of the Occupational Safety and Health Act ("OSHA"). This responsibility includes inspection of the covered community, which the Office of the General Counsel performs in collaboration with employing offices. While enormous progress has been achieved by the Office of the Architect of the Capitol ("AOC") and other employing offices in improving health and safety conditions, there remain circumstances where progress will be enhanced if the OGC is provided specific tools to perform: whistle blower and similar retaliation protection, temporary restraining orders, investigatory subpoenas, and recognition by the responsible party for health and safety violations in covered facilities. With these tools, the Office of the General Counsel would be better positioned to ensure that the covered community is a safe and healthy one for its employees and employees, as well as its visitors.

Congress has enacted laws to ensure that soldiers with civilian employment will not be penalized for their time spent away from their employers while serving in the military. Through the enactment of these laws, Congress ensured that military service will not prevent individuals from remaining professionally competitive with their civilian counterparts. The Veterans' Employment Opportunities Act ("VEOA") and the Uniformed Services Employment and Reemployment Act ("USERRA") currently provide protections for military personnel entering and returning to federal and other civilian workforces. Under VEOA, Congress has enacted protections for these soldiers, so that in certain circumstances, they receive a

preference for selection to federal employment. Regulations for these laws have been implemented in the executive branch, and the Board encourages Congress to implement corresponding regulations in the legislative branch.

RECOMMENDATIONS

I. Whistle Blower Protection Act application to the CAA

Retaliation protections

Over the years, the Office of Compliance has received numerous inquiries from legislative branch employees about their legal rights following their having reported allegations of employer wrongdoing or mismanagement. Unfortunately, these employees are not currently protected from employment retaliation by any law. The retaliation provisions of the CAA limit protection to employees who, in general, exercise their rights under the statute. Whistle blower protections are intended specifically to prevent employers from taking retaliatory employment action against an employee who discloses information which he or she believes evidences a violation of law, gross mismanagement, or substantial and specific danger to public health or safety.

The Whistle Blower Protection Act ("WPA") prohibits executive branch personnel decision makers from taking any action to:

(3) coerce the political activity of any person (including the providing of any political contribution or service), or take any action against any employee or applicant for employment as a reprisal for the refusal of any person to engage in such political activity;

(4) deceive or willfully obstruct any person with respect to such person's right to compete for employment;

(5) influence any person to withdraw from competition for any position for the purpose of improving or injuring the prospects of any other person for employment;

(6) grant any preference or advantage not authorized by law, rule, or regulation to any employee or applicant for employment (including defining the scope or manner of competition or the requirements for any position) for the purpose of improving or injuring the prospects of any particular person for employment;

(7) appoint, employ, promote, advance, or advocate for the appointment, promotion, advancement, in or to a civilian position any individual who is a relative (as defined in section 3110(a)(3) of this title) of such employee if such position is in the agency in which the employee is serving as a public official (as defined in section 3110(a)(2) of this title) or over which such employee exercises jurisdiction or control as such an official;

(8) take or fail to take, or threaten to take or fail to take, a personnel action with respect to any employee or applicant for employment because of—

(A) any disclosure of information by an employee or applicant for employment because of—

(i) a violation of any law, rule, or regulation, or

(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, if such disclosure is not specifically prohibited by law and if such information is not specifically required by Executive Order to be kept secret in the interest of national defense or the conduct of foreign affairs; or

(B) any disclosure to the Special Counsel, or to the Inspector General of an agency or another employee designated by the head of the agency to receive such disclosures of information which the employee or applicant reasonably believes evidences—

(i) a violation of any law, rule, or regulation, or

(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, if such disclosure is not specifically prohibited by law and if such information is not specifically required by Executive Order to be kept secret in the interest of national defense or the conduct of foreign affairs.

(9) take or fail to take, or threaten to take or fail to take, any personnel action against any employee or applicant for employment because of—

(A) the exercise of any appeal, complaint, or grievance right granted by any law, rule, or regulation;

(B) testifying for or otherwise lawfully assisting any individual in the exercise of any right referred to in subparagraph (A);

(C) cooperating with or disclosing information to the Inspector General of an agency, or the Special Counsel, in accordance with applicable provisions of law; or

(D) for refusing to obey an order that would require the individual to violate a law;

(10) discriminate for or against any employee or applicant for employment on the basis of conduct which does not adversely affect the performance of the employee or applicant or the performance of others; except that nothing in this paragraph shall prohibit an agency from taking into account in determining suitability or fitness any conviction of the employee or applicant of any crime under the laws of any State or the District of Columbia, or of the United States.¹

Over the years, legislative branch employees have proven essential in informing the General Counsel of the possible existence of serious hazards that may affect the safety and health of employees, management representatives, and members of the public that would otherwise not come to his attention. In order to assure the free flow of this information, it is incumbent upon Congress to protect employees from intimidation and retaliation when they exercise their rights to report and allege violations.

On July 17, 2006, Senator Chuck Grassley introduced a bill² to Congress that would amend the Congressional Accountability Act to give legislative branch employees some of the whistle blower protection rights that are available to executive branch employees. In the executive branch, employees can take allegations of employment reprisal based on whistle blowing to the Office of the Special Counsel or can bring an individual action directly before the Merit Systems Protection Board.³ As the bill is written, legislative branch employees would bring such matters to the Office of Compliance's dispute resolution program. Although this program provides a mechanism for employees to bring a complaint, the employees would have to prosecute these very technical issues themselves, or incur the cost of hiring an attorney to litigate these issues. Employees of the executive branch do not bear such a burden. To assure that whistle blower protection rights are effectively vindicated, it is imperative that the General Counsel be granted the same authority to investigate and prosecute OSHA-type violations of the CAA, as is provided under other remedial labor laws.

Executive agencies that are required to enforce labor and employment rights are often given explicit statutory authority to conduct investigations and litigation respecting charges of employer intimidation and retaliation of employees. For example, the General Counsel of the Federal Labor Relations Authority may investigate discrimination based on the filing of an unfair labor practice.⁴ Under the Occupational Safety and Health Act, the Secretary of Labor is given very clear authority to investigate and prosecute reprisals.⁵ The Equal Employment Opportunity Commission is granted authority

to initiate charges and conduct investigations into claims of discrimination.⁶ The National Labor Relations Act also grants to its General Counsel the authority to issue a complaint upon the filing of an employee charge of retaliation.⁷

Covered employees who have sought information from the Office of Compliance respecting their substantive rights under the safety and health provisions of the CAA have expressed concern about their exposure when they come forward to provide evidence in such investigations. They have also indicated reluctance or financial inability to shoulder the litigation burden without the support of the Office of the General Counsel investigative process and enforcement procedures.

The Board of Directors believes that the ability of the General Counsel to investigate and prosecute retaliation in the OSH process would effectively serve to relieve employees of these burdens. It would also preserve confidence in the CAA and empower legislative branch employees to exercise their rights without fear of adverse action in reprisal for their protected activities.

Protection from solicitation of recommendations

The Board believes that the subsection (b)(2) rule of the Whistle Blower Protection Act should be made applicable to all legislative branch employing offices, other than the two houses of Congress and the entities listed in section 220(e)(2)(A)–(E) of the CAA.

The Board urges Congress to discourage “political” recommendations in the filling of covered positions. Specifically, subsection (b)(2) of the Whistle Blower Protection Act provides that anyone with personnel authority may not: “solicit or consider any recommendation or statement, oral or written, with respect to any individual who requests or is under consideration for any personnel action unless such recommendation or statement is based on the personal knowledge or records of the person furnishing it and consists of—(A) an evaluation of the work performance, ability, aptitude, or general qualifications of such individual; or (B) an evaluation of the character, loyalty, or suitability of such individual . . .”

The Board recommends that Congress apply this restriction to anyone with personnel authority in any legislative branch employing office, other than the two houses of Congress and the entities listed in section 220(e)(2)(A)–(E) of the CAA.

II. Increased safety and health compliance tools *Temporary restraining orders*

The Occupational Safety and Health Act is applied, in part, to the legislative branch through Section 215(b) of the Congressional Accountability Act. Under this section, the remedy for a violation of the CAA is a corrective order similar to such an order granted under the remedial section of the OSH Act. Among other things, the OSH Act authorizes the Secretary of Labor to seek a temporary restraining order in district court in the case of imminent danger. Such enforcement authority is necessary for the General Counsel of the Office of Compliance to ensure that safety and health violations are remedied expeditiously. The General Counsel takes the position that although Section 215(b) of the CAA does not expressly provide preliminary injunctive relief as a remedy, such authority is implied by the Act's terms. Certain employing offices, as well as other stakeholders, however, differ with this interpretation, as the language is not stated directly in the Act. Accordingly, the Board seeks to amend the current language of the Act to alleviate all ambiguity and to make clear the General Counsel's authority to seek such relief.

Express authority to seek preliminary injunctive relief is essential to the General Counsel's ability to eliminate promptly all potential workplace hazards. Although a situation has not been presented yet where a court injunction was necessary to resolve a case of imminent danger, the General Counsel can foresee the very likelihood of having to do so. In fiscal year 2006, the General Counsel increased his efforts to remedy two serious violations which posed imminent danger to workers: unabated safety violations which existed in the Capitol Power Plant utility tunnels since before 1999, and the lack of safety shoring for AOC workers in trenches surrounding Library of Congress buildings. Fortunately, the prompt filing of a formal complaint led the AOC to implement immediate interim abatement measures to protect workers in the tunnels from imminent harm. In addition, the filing of a citation for the safety shoring violation prompted the AOC to take immediate steps to install appropriate shoring to protect its employees.

In both of these instances, the need for injunctive relief was obviated due to the prompt and voluntary compliance of the AOC. However, in other situations, employing offices may not so readily accept responsibility for correcting an imminent safety hazard. For example, the increased use of contractors to perform construction and repair work on Capitol Hill creates situations where the responsibility for assuring safe conditions may not be as clear, or as readily accepted, by an employing office. Cases of that nature demonstrate the need for the availability of injunctive relief to ensure the immediate and ongoing safety of employees and members of the public pending resolution of issues of responsibility and cost.

The Board urges Congress to recognize the General Counsel's need to have the authority to seek preliminary injunctive relief. Although implicitly provided in the Act, the current language under Section 215(b) creates ambiguity as to whether such authority has been granted to the General Counsel. The Board recommends that the CAA be amended to clarify that the General Counsel has the standing to seek a temporary restraining order in Federal district court and that the court has jurisdiction to issue the order.

Investigatory subpoenas

The General Counsel of the Office of Compliance is responsible for conducting health and safety inspections in covered offices in the legislative branch. In implementation of this mandate, the General Counsel is granted many, but not all, of the same authorities that are granted to the Secretary of Labor under section 8 of the Occupational Safety and Health Act. One of the significant authorities granted to the Secretary of Labor is that of issuing investigatory subpoenas in aid of inspections. Other federal agencies, such as the National Labor Relations Board and the Federal Labor Relations Authority, likewise are given such authority in implementation of their authority to investigate complaints. However, the Congressional Accountability Act does not grant to the General Counsel the authority to require the attendance of witnesses and the production of evidence in furtherance of his investigations.

While most employing offices do not directly refuse to provide requested information during the General Counsel's investigations, significant delays in providing information are, unfortunately, not unusual. The lack of authority to compel the prompt release of information and witnesses from employing offices hampers the ability of the General Counsel to enforce health and safety regulations. To conduct a thorough work-

place inspection, the General Counsel must interview witnesses and examine information that may reside solely within the possession of the employing office, and not otherwise readily available to employees, the public, or the General Counsel. Absent the authority to issue investigatory subpoenas, an employing office may, with impunity, refuse or simply stall in responding to the General Counsel's requests for information. Such actions would hinder investigations and may exacerbate potential health and safety hazards. Recently, an employing office argued that the General Counsel was not entitled to the records of results of testing for hearing damage performed on legislative employees. The General Counsel was without an efficient mechanism to gain access to this information.

Currently, the only means to compel production of documents or testimony when cooperation is not forthcoming is to issue a citation and a complaint, and institute legal proceedings against the employing office. Besides being costly, this process is counterproductive to the General Counsel's efforts to maintain and further a collaborative relationship with employing offices. In addition, the inherent delays of litigation may have the effect of exposing employees and the public to unabated hazard and significant risk of exposure or injury. Prompt production of information or access to witnesses allows the General Counsel to collaborate with employing offices and make an informed decision and assess risks and hazards. This authority will directly enhance the ability of the General Counsel to carry out his statutory duty to maintain a safe and healthy workplace.

The Office of the Architect of the Capitol is responsible for safety and health violations in covered facilities

In its Report on Occupational Safety and Health Inspections for the 108th Congress, the General Counsel raised a concern regarding enforcing compliance with the OSH Act where work is performed by contractors hired by the Architect of the Capitol. In the 108th Biennial Report, three specific incidents were cited wherein AOC contractors created hazardous situations that posed significant risk to property in one instance, and severe bodily injury to employees and the public in the other two. The latter two conditions were corrected by the AOC, even though the AOC asserted it had no obligation to do so. In the other situation, a citation was issued by the General Counsel; however, the AOC has contested this citation, asserting that it has limited, if any, responsibility to monitor or ensure compliance with OSHA regulations and safety standards whenever work is performed by contractors.

OSHA, rather than the Office of Compliance General Counsel, has jurisdiction over AOC private sector contractors. As the AOC increasingly relies on such contractors to perform its construction and repair work, it is foreseeable that safety and health enforcement in the legislative branch could increasingly devolve to OSHA rather than the Office of Compliance General Counsel. Were the AOC to prevail in its contention that it was not responsible for hazards created by its contractors, the ability of the General Counsel to protect legislative branch employees would be severely undermined. Moreover, divided jurisdiction over the elimination of hazardous conditions that affect legislative branch employees would appear to be contrary to the purpose of the CAA.

The General Counsel's jurisdiction to hold an employing office accountable for complying with safety standards does not turn on whether the employing office performs its work directly or through the use of a contractor. Otherwise, the health and safety in

much of the legislative branch would depend on the diligence and skill of independent contractors rather than that of the Architect of the Capitol. The Government Accountability Office recently expressed a similar concern that the "AOC had not fully exercised its authority to have the contractors take corrective actions to address recurring safety concerns" in regard to construction at the Capitol Visitor Center.⁹

OSHA has a "Multi-Employer Citation Policy,"¹⁰ under which employers can be considered both a "controlling and exposing employer engaged in construction and repair work." This policy requires that these multi-employers be held accountable and responsible for any safety violations in their facilities. Because the AOC is charged with the responsibility for the supervision and control of all services necessary for the protection and care of the Capitol and the Senate and House Office Buildings, the AOC would be considered a multi-employer, under OSHA's definition, and thereby accountable and responsible for any safety violations in its facilities.¹¹ The Board of Directors encourages Congress to adopt OSHA's policy to ensure the uniform pattern of enforcement throughout the legislative branch.

The Board urges Congress to take a realistic look at the safety and health concerns in the covered community. Much work has been done, and progress continues to be made, to ensure that Congress provides a safe and healthy environment for its employees and visitors. In order to ensure this continued progress, there are certain mechanisms that must be in place for the General Counsel of the Office of Compliance to ensure that safety and health risks are at a minimum and are thoroughly and expeditiously addressed. The Board encourages Congress to allow the General Counsel to implement these tools to meet this goal.

III. VETERANS' RIGHTS

Veterans' Employment Opportunities Act

Since the end of the Civil War, the United States Government has granted veterans a certain degree of preference in federal employment, in recognition of their duty to country, sacrifice, and exceptional capabilities and skills. Initially, these preferences were provided through a series of statutes and Executive Orders. In 1944, however, Congress passed the first law that granted our service men and women preference in federal employment: the Veterans' Preference Act of 1944.¹² The Veterans' Preference Act provided that veterans who are disabled or who served in military campaigns during specified time periods are "preference eligible" veterans and would be entitled to preference over non-veterans (and over non-preference-eligible veterans) in decisions involving selections and retention in reductions-in-force.

In 1998, Congress passed the Veterans Employment Opportunities Act ("VEOA"),¹³ which "strengthen[s] and broadens"¹⁴ the rights and remedies available to military veterans who are entitled to preferences in federal employment. In particular, Congress clearly stated in the law itself that certain "rights and protections" of veterans' preference law provisions for certain executive branch employees, "shall apply" to certain "covered employees" in the legislative branch.¹⁵

Initially, the Board published an Advanced Notice of Proposed Rulemaking for VEOA regulations on February 28, 2000, and March 9, 2000. Upon consideration of the comments received, the Board changed its approach and published a Notice of Proposed Rulemaking on December 6, 2001. Since that time, the Board has engaged in extensive discussions with stakeholders to obtain input and suggestions into the drafting of the regulations.

The Board is mindful that stakeholder input is critical in ensuring that the proposed regulations capture the particular workings and procedures of the legislative branch. To that end, the Board is committed to investing as much time as is necessary to promulgate and implement the VEOA regulations.

One of the most critical aspects of drafting these regulations has been to acknowledge the longstanding and significant differences between the personnel policies and practices, as well as the history, of the legislative branch and the executive branch. In particular, the executive branch distinguishes between employees in the "competitive service" and the "excepted service," often with differing personnel rules applying to these two services. The legislative branch has no such classification system and hence, no dichotomy.

Although the CAA mandates application to the legislative branch of certain VEOA provisions originally drafted for the executive branch, the Board notes the central distinction made in the underlying statute: certain veterans' preference protections (regarding hiring) applied only to executive branch employees in the "competitive" service, while others (governing reductions in force and transfers) applied both to the "competitive" and "excepted" service. For example, the hiring practice in the executive branch includes a numeric rating and ranking process. Such process includes a point-preference for certain veterans. Because no such rating and ranking process exists in the legislative branch, the application of the point-preference had to be adjusted to properly fit the particular practices of the legislative branch.

The extensive discussions with various stakeholders across Congress and the legislative branch have raised these issues and have provided a forum in which to discuss how best to address these unsuited areas of the regulations. The suggestions made and comments received by stakeholders have allowed the Board to engage in thoughtful deliberation and careful consideration of the particular needs of the legislative branch. Accordingly, the Board has crafted proposed regulations that it believes will fit the practices and procedures of the varying entities in the covered community.

Uniformed Services Employment and Re-employment Rights Act

The Uniformed Services Employment and Re-employment Rights Act ("USERRA") was enacted in December 1994, and the Department of Labor submitted regulations for the executive branch in 2005. USERRA's provisions ensure that entry and re-entry into the civilian workforce are not hindered by participation in non-career military service. USERRA accomplishes that purpose by providing rights in two kinds of cases: discrimination based on military service, and denial of an employment benefit as a result of military service.

Currently, the Board is engaged in drafting proposed regulations for USERRA's application to the legislative branch. During the 110th Congress, the Board will present its proposed regulations to stakeholders and engage in similar consultations as with the proposed VEOA draft regulations. The Board anticipates that this interactive and collaborative approach will allow the Board, as with the VEOA draft regulations, to ascertain the concerns and particular demands of the legislative branch with respect to application of these regulations.

There is a need for both VEOA and USERRA regulations in the legislative branch. Congress has seen fit to provide service men and women certain protections in federal civilian employment, and without

adopted regulations, these protections are without legal effect in the legislative branch. The particular procedures and practices in the legislative branch necessitate regulations written especially for the legislative branch. The Board encourages Congress to adopt these regulations, once proposed, so that VEOA and USERRA protections can be provided specifically to employees of the legislative branch with regulations suitable to the needs of the covered community.

CONCLUSION

As the tenth anniversary of the Congressional Accountability Act of 1995 has now passed, it is time for a comprehensive analysis and update of the law to ensure that it continues to reflect the commitment by the lawmakers of this nation to democratic accountability.

With this 102b Report, the Board of Directors of the Office of Compliance urges the leadership of both houses of Congress to seriously consider the recommendations included in this report. The Board encourages Congress to look at the recent activities in the covered community to recognize the need for the implementation of these recommendations. In particular, the efforts made by the Office of the General Counsel of the Office of Compliance and the Office of the Architect of the Capitol to eliminate safety and health hazards that exist in the covered community have been successful due to the collaborative nature of the approach to the problem. However, certain safety issues and certain hazards may only be successfully addressed by the use of other mechanisms, such as specific retaliation protections for whistle blowers, preliminary injunctive relief, investigative subpoenas, and the General Counsel's ability to investigate and prosecute OSH claims of retaliation.

A fair workplace consists of fair treatment for its applicants and employees who serve in the military. The legislative branch attracts and employs many men and women who have collateral military responsibility. Congress has enacted laws which ensure that these individuals receive the same treatment as their civilian counterparts. Those service men and women who make application for federal employment in the legislative branch and those individuals returning from active duty must be assured, through appropriate regulation, that their service in the military will not hinder them from serving in their country's legislative branch of government.

The Board also encourages the leadership to increase Congress's compliance with section 102(b)(3) of the CAA. Section 102(b)(3) requires that every House and Senate committee report accompanying a bill or joint resolution that impacts terms and conditions of employment or access to public services or accommodations must "describe the manner in which the provisions of the bill or joint resolution apply to the legislative branch" or "in the case of a provision not applicable to the legislative branch, include a statement of the reasons the provision does not apply." Congress has made efforts to include such language in proposed bills, and the Board encourages its continued effort.

This Board, its executive appointees, and the staff of the Office of Compliance are prepared to work with the leadership, our oversight committees, other interested Members, and instrumentalities in Congress and the legislative branch to make these recommendations part of the Congressional Accountability Act during the 110th Congress.

Respectfully submitted,

SUSAN S. ROBFOGEL,
Chair.
BARBARA L. CAMENS.
ALAN V. FRIEDMAN.

ROBERTA L. HOLZWARTH.
BARBARA CHILDS WALLACE.
APPENDIX A

Employment and civil rights which still do not apply to Congress or other legislative branch instrumentalities

The statutes below, with the exception of Section 508 of the Rehabilitation Act, were all first identified by the Board in 1996 as not included among the laws which were applied to Congress through the Congressional Accountability Act of 1995. The absence of section 508 of the Rehabilitation Act was first identified in our 2001 Interim Report to Congress. We here repeat the recommendations—made in our Reports of 1996, 1998, 2000, 2002, and 2004, as well as those of the Interim 2001 Report—that these statutes should also be applied to Congress and the legislative branch through the Act.

The 1998 amendments to section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d)

In November 2001, the Board submitted an Interim Section 102(b) Report to Congress regarding the 1998 amendments to the Rehabilitation Act of 1973 in which the Board urged Congress to make those amendments applicable to itself and the legislative branch. The purpose of the 1998 amendments is to: “require each Federal agency to procure, maintain, and use electronic and information technology that allows individuals with disabilities the same access to technology as individuals without disabilities.” [Senate Report on S. 1579, March 1998]

As of this time, some five years later, software and other equipment which is “508 compliant” is readily available and in use by some employing offices. The Board encourages consistent use of these technologies so that individuals with impairments may have the same opportunities to access materials as others.

The Board reiterates its recommendation that Congress and the legislative branch, including the General Accounting Office, Government Printing Office, and Library of Congress, be required to comply with the mandates of section 508.

Titles II and III of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000a to 2000a-6, 2000b to 2000b-3)

These titles prohibit discrimination or segregation on the basis of race, color, religion, or national origin regarding the goods, services, facilities, privileges, advantages, and accommodations of “any place of public accommodation” as defined in the Act. Although the CAA incorporated the protections of titles II and III of the ADA, which prohibit discrimination on the basis of disability with respect to access to public services and accommodations,¹⁶ it does not extend protection against discrimination based upon race, color, religion, or national origin with respect to access to public services and accommodations. For the reasons set forth in the 1996, 1998 and 2000 Section 102(b) Reports, the Board has determined that the rights and protections afforded by titles II and III of the Civil Rights Act of 1964 against discrimination with respect to places of public accommodation should be applied to employing offices within the legislative branch.

Prohibition against discrimination on the basis of jury duty (28 U.S.C. § 1875)

Section 1875 provides that no employer shall discharge, threaten to discharge, intimidate, or coerce any permanent employee by reason of such employee's jury service, or the attendance or scheduled attendance in connection with such service, in any court of the United States. This section currently does not cover legislative branch employment. For the reasons set forth in the 1996,

1998, and 2000 Section 102(b) Reports, the Board has determined that the rights and protections against discrimination on this basis should be applied to employing offices within the legislative branch.

Prohibition against discrimination on the basis of bankruptcy (11 U.S.C. § 525)

Section 525(a) provides that “a governmental unit” may not deny employment to, terminate the employment of, or discriminate with respect to employment against, a person who is or has been a debtor under the bankruptcy statutes. This provision currently does not apply to the legislative branch. For the reasons stated in the 1996, 1998 and 2000 Section 102(b) Reports, the Board recommends that the rights and protections against discrimination on this basis should be applied to employing offices within the legislative branch.

Prohibition against discharge from employment by reason of garnishment (15 U.S.C. § 1674(a))

Section 1674(a) prohibits discharge of any employee because his or her earnings “have been subject to garnishment for anyone indebtedness.” This section is limited to private employers, so it currently has no application to the legislative branch. For the reasons set forth in the 1996, 1998 and 2000 Section 102(b) Reports, the Board has determined that the rights and protections against discrimination on this basis should be applied to employing offices within the legislative branch.

APPENDIX B

Regulatory enforcement provisions for laws which are already applicable to the legislative branch under the act

Record-keeping and notice-posting requirements of the private sector CAA laws

As mentioned in its 1998, 2000, 2002, and 2004 Reports, experience in the administration of the Act leads the Board to recommend that all currently inapplicable record-keeping and notice-posting provisions be made applicable under the CAA. For the reasons set forth in its prior reports of 1998, 2002, and 2004, the Board recommends that the Office be granted the authority to require that records be kept and notices posted in the same manner as required by the agencies that enforce the provisions of law made applicable by the CAA in the private sector.

Other enforcement authorities exercised by the agencies that implement the CAA laws for the private sector

To further the goal of parity, the Board also recommends that Congress grant the Office the remaining enforcement authorities that executive branch agencies utilize to administer and enforce the provisions of law made applicable by the CAA in the private sector. Implementing agencies in the executive branch have investigatory and prosecutorial authorities with respect to all of the private sector CAA laws, except the WARN Act. Based on the experience and expertise of the Office, granting these same enforcement authorities would make the CAA more comprehensive and effective. By taking these steps to live under full agency enforcement authority, the Congress will strengthen the bond that the CAA created between the legislator and the legislated.

APPENDIX C

Employee protection provisions of environmental statutes

Since its 1996 Report, the Board has addressed the inclusion of employee protection provisions of a number of statutory schemes: the Toxic Substances Control Act, Clean Water Act, Safe Drinking Water Act, Energy Reorganization Act, Solid Waste Disposal

Act/Resources Conservation Recovery Act, Clean Air Act, and Comprehensive Environmental Response, Compensation and Liability Act. In its 1996 Section 102(b) Report, the Board stated:

“It is unclear to what extent, if any, these provisions apply to entities in the Legislative Branch. Furthermore, even if applicable or partly applicable, it is unclear whether and to what extent the Legislative Branch has the type of employees and employing offices that would be subject to these provisions. Consequently, the Board reserves judgment on whether or not these provisions should be made applicable to the Legislative Branch at this time.”

Further, in the 1998 Report the Board concluded that, while it remained unclear whether some or all of the environmental statutes apply to the legislative branch, “[t]he Board recommends that Congress should adopt legislation clarifying that the employee protection provisions in the environmental protection statutes apply to all entities within the Legislative Branch.”

In the 2002 and 2004 Reports, the Board explicitly analyzed these protections and recommended that the employee protection provisions of these acts be placed within the CAA and applied to all covered employees, including employees of the Government Accountability Office, Government Printing Office, and Library of Congress. The Board reiterates those recommendations herein, including its recommendation to eliminate the separation of powers conflict inherent in enforcing these statutes, and urges Congress to include such amendments to the Act.

CONTACT INFORMATION

Office of Compliance, Room LA 200, John Adams Building, 110 Second Street, SE, Washington, DC 20540-1999, t/ 202-724-9250, tdd/ 202-426-1912, f/ 202-426-1913. Recorded Information Line/ 202-724-9260. www.compliance.gov.

ENDNOTES

¹Subsections (b)(11) and (b)(12) refer to “competitive service,” merit systems principles, and other specific personnel matters within the

²S. 3676, 109th Cong. (2006).

³See 5 U.S.C. 1201 et seq.

⁴See 5 U.S.C. § 7118(a)(1).

⁵See 29 U.S.C. § 660(c)(2). See also Federal Mine Safety and Health Act, 30 U.S.C. § 815 which grants the Secretary of Labor the authority to prosecute a discrimination claim before the Federal Mine Safety and Health Review Commission.

⁶These procedures do not apply to federal sector equal employment opportunity.

⁷29 U.S.C. § 158(a)(4); § 160(b).

⁸29 U.S.C. § 657.

⁹See “Testimony of David M. Walker, Comptroller General of the United States Before the Subcommittee on the Legislative Branch, Committee on Appropriations, U.S. Senate” (May 17, 2005), p.9.

¹⁰OSHA Directive CPL 2-0.124, December 10, 1999.

¹¹Id., Sections X(c) and X(e).

¹²Act of June 27, 1944, ch. 287, 58 Stat. 387, amended and codified in various provisions of Title 5 of the United States Code.

¹³Pub. L. 105-339, 112 Stat. 3186 (October 31, 1998).

¹⁴Sen. Rept. 105-340, 105 Cong., 2d Sess. at 19 (Sept. 21, 1998).

¹⁵VEOA 4(c)(1) and (5).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

87. A letter from the Chief, Regulations and Administrative Law, USCG, Department

of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercise, Lake Erie [CGD09-06-010] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

88. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercise, Lake Michigan [CGD09-06-011] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

89. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety and Security Zones; LPG/C HAVIS, Casco Bay and Portland Harbor, Sector Northern New England, Captain of the Port Zone [CGD01-06-002] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

90. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Francisco Bay and Carquinez Strait, California [COTP San Francisco Bay 06-014] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

91. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Coast Guard Festival Water Ski Show, Grand Haven, Michigan [CGD09-06-131] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

92. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Point O'Woods Fire Company Fireworks, Great South Bay, Point O'Woods, NY [CGD01-06-081] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

93. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Marion Fourth of July Fireworks, Sippican Harbor, Marion, Massachusetts [CGD01-06-038] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

94. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Barnstable Fireworks Display, Lewis Bay, Hyannis, Massachusetts [CGD01-06-046] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

95. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Nantucket Independence Day Celebration, Nantucket Sound in the vicinity of Jetties Beach, Nantucket, Massachusetts [CGD01-06-053] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

96. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the De-

partment's final rule — Safety Zone; Falmouth Independence Day Fireworks, Vineyard Sound, Falmouth, Massachusetts [CGD01-06-044] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

97. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Provincetown Fourth of July Fireworks, Provincetown Harbor, Provincetown, Massachusetts [CGD01-06-043] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

98. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Oyster Harbors Club 4th of July Festival, Tim's Cove, North Bay, Osterville, Massachusetts [CGD01-06-040] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

99. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Salem Celebrates the 4th Fireworks, Salem, MA [CGD01-06-036] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

100. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; City of Lynn Fourth of July Fireworks Display, Nahant Bay, MA [CGD1-06-032] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

101. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gloucester Fourth of July Fireworks, Gloucester, Massachusetts [CGD01-06-072] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

102. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Town of Weymouth Fourth of July Celebration Fireworks Display, Weymouth, MA [CGD1-06-012] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

103. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Beverly Farms — Prides Crossing Fourth of July Celebration Fireworks, Beverly Farms, Massachusetts [CGD01-06-086] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

104. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Tennessee River, Mile Markers 468.5 to 470.0, Chattanooga, TN [COTP Ohio Valley 06-032] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

105. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the De-

partment's final rule — Safety Zone; Kanawha River Mile 58 to 59.2, Charleston, WV [COTP Ohio Valley 06-030] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

106. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine-Neches Canal, Sabine River, Orange, TX [COTP Port Arthur-13-006] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

107. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulfport Commercial Small Boat Harbor, Gulfport, MS [COTP Mobile-05-042] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

108. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Francisco Bay, CA, Alviso Slough [COTP San Francisco Bay 06-011] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

109. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone Regulations; Tampa Bay, FL [COTP St. Petersburg 06-033] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

110. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Indian River, Cocoa, FL [COTP Jacksonville 06-031] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

111. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Apra Harbor and Adjacent Waters, GU [COTP Guam 06-006] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

112. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Brooklyn Basin, Oakland, California [COTP San Francisco Bay 06-005] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

113. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone Regulations; Obstruction to Navigation, Harbor Island Reach, Seattle [CGD13-06-005] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

114. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone Regulations; Tampa Bay, FL [COTP St. Petersburg 06-024] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

115. A letter from the Chief, Regulations and Administrative Law, USCG, Department

of Homeland Security, transmitting the Department's final rule — Safety Zone; Ft. Meyers Beach, FL [COTP St. Petersburg 06-047] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

116. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Cuyahoga River, Cleveland, Ohio. West Third Street Bridge installment process [CGD09-06-014] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

117. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf of Mexico, South of Wiggins Pass, FL [COTP St. Petersburg 06-014] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

118. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ft. Meyers Beach, FL [COTP St. Petersburg 06-017] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

119. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Francisco Bay and Carquinez Strait, California [COTP San Francisco Bay 06-004] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

120. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Apra Harbor, GU [COTP Guam 06-001] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

121. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Tampa Bay, FL [COTP St. Petersburg 06-009] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

122. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Tampa Bay, FL [COTP St. Petersburg 06-010] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

123. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; St. Petersburg [COTP St. Petersburg 06-028] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

124. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; St. Petersburg [COTP St. Petersburg 06-013] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

125. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the De-

partment's final rule — Safety Zone; St. Petersburg [COTP St. Petersburg 06-032] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

126. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live-Fire Gun Exercise, Lake Superior [CGD09-06-016] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

127. A letter from the Chair of the Board of Directors, Office of Compliance, transmitting the biennial report on the applicability to the legislative branch of federal law relating to terms and conditions of employment and access to public services and accommodations, pursuant to section 102(b)(2) of the Congressional Accountability Act of 1995, pursuant to 2 U.S.C. 1302; jointly to the Committees on House Administration and Education and Labor.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HINOJOSA (for himself, Mr. ORTIZ, Mr. RODRIGUEZ, Mr. REYES, and Mr. CUELLAR):

H.R. 361. A bill to amend the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2000 to authorize additional projects and activities under that Act, and for other purposes; to the Committee on Natural Resources.

By Mr. GORDON (for himself and Mr. HALL of Texas):

H.R. 362. A bill to authorize science scholarships for educating mathematics and science teachers, and for other purposes; to the Committee on Science and Technology.

By Mr. GORDON:

H.R. 363. A bill to authorize appropriations for basic research and research infrastructure in science and engineering, and for support of graduate fellowships, and for other purposes; to the Committee on Science and Technology.

By Mr. GORDON:

H.R. 364. A bill to provide for the establishment of the Advanced Research Projects Agency-Energy; to the Committee on Science and Technology.

By Mr. GORDON (for himself, Mr. HALL of Texas, Mr. WU, and Mr. CALVERT):

H.R. 365. A bill to provide for a research program for remediation of closed methamphetamine production laboratories, and for other purposes; to the Committee on Science and Technology.

By Mr. SULLIVAN (for himself, Mr. LUCAS, Mr. COLE of Oklahoma, Ms. FALLIN, and Mr. BOREN):

H.R. 366. A bill to designate the Department of Veterans Affairs Outpatient Clinic in Tulsa, Oklahoma, as the "Ernest Childers Department of Veterans Affairs Outpatient Clinic"; to the Committee on Veterans' Affairs.

By Mr. REICHERT (for himself and Mr. KIRK):

H.R. 367. A bill to require the Attorney General to develop a national strategy to eliminate the illegal operations of the top three international drug gangs that present the greatest threat to law and order in the United States; to the Committee on the Judiciary.

By Mr. HALL of Texas (for himself, Mr. GILLMOR, Mr. SCHIFF, Mr. PAUL, Mrs. MALONEY of New York, Mr.

MCCOTTER, Mr. GORDON, Mrs. BONO, and Mr. WEXLER):

H.R. 368. A bill to amend title II of the Social Security Act to allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over four years totalling \$5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977, and for other purposes; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina (for himself, Mr. SPRATT, Mr. WAXMAN, Ms. SCHAKOWSKY, Mr. SHAYS, Mr. CONYERS, Mr. SNYDER, Mr. COOPER, Mr. WEXLER, Mr. BURTON of Indiana, Mr. BLUMENAUER, Ms. MCCOLLUM of Minnesota, Mr. ETHERIDGE, Mr. MILLER of North Carolina, Mr. FARR, Mr. VAN HOLLEN, Mr. DEFAZIO, Mr. HONDA, Ms. JACKSON-LEE of Texas, and Mr. HOLT):

H.R. 369. A bill to require accountability for personnel performing private security functions under Federal contracts, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Kentucky (for himself, Mr. RAHALL, Mr. WHITFIELD, Mr. PICKERING, Mr. ROGERS of Kentucky, Mr. DUNCAN, Mr. LAHOOD, Mr. BOUSTANY, Mrs. CUBIN, Mr. BACHUS, Mr. EVERETT, Mr. ROGERS of Alabama, Mr. BOUCHER, Mr. LINCOLN DAVIS of Tennessee, Mr. SHIMKUS, Mr. CANNON, Mrs. DRAKE, Mr. LEWIS of Kentucky, Mr. REHBERG, Mr. HASTERT, and Mr. YARMUTH):

H.R. 370. A bill to promote coal-to-liquid fuel activities; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Science and Technology, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERMAN (for himself, Mr. CANNON, Mr. PETERSON of Minnesota, Mr. RADANOVICH, Mr. COSTA, Mr. PUTNAM, Mr. BOYD of Florida, Mr. LAHOOD, Mr. THOMPSON of California, Mr. REYNOLDS, Mr. BACA, Mr. WALSH of New York, Ms. SOLIS, Mr. KUHL of New York, Mr. BISHOP of Georgia, Mr. NUNES, Mr. SALAZAR, Mr. LINCOLN DIAZ-BALART of Florida, Mr. LARSEN of Washington, Mr. GILCHREST, Mr. FARR, and Mr. MCHUGH):

H.R. 371. A bill to improve agricultural job opportunities, benefits, and security for aliens in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. ALTMIRE:

H.R. 372. A bill to direct the Federal Trade Commission to revise the regulations regarding the Do-not-call registry to prohibit politically-oriented recorded message telephone calls to telephone numbers listed on that registry; to the Committee on Energy and Commerce.

By Mrs. BLACKBURN (for herself, Mr. GINGREY, Mr. FLAKE, Mr. AKIN, Mr. GARRETT of New Jersey, Ms. FOXX, Mr. MCHENRY, Mr. FEENEY, Mr. WALBERG, Mr. PEARCE, Mr. CANTOR, Mr. WESTMORELAND, Mr. SALI, Mr. HENSARLING, Mrs. MUSGRAVE, Mr. CHABOT, and Mr. HERGER):

H.R. 373. A bill to make 1 percent across-the-board rescissions in non-defense, non-

homeland-security discretionary spending for fiscal year 2007; to the Committee on Appropriations.

By Mrs. BLACKBURN (for herself, Mr. CANTOR, Mr. WESTMORELAND, Mr. SALL, Mr. FLAKE, Mr. AKIN, Mr. HENSARLING, Mrs. MUSGRAVE, Mr. CHABOT, Mr. HERGER, and Ms. FOX):

H.R. 374. A bill to make 2 percent across-the-board rescissions in non-defense, non-homeland-security discretionary spending for fiscal year 2007; to the Committee on Appropriations.

By Mrs. JO ANN DAVIS of Virginia:

H.R. 375. A bill to declare, under the authority of Congress under Article I, section 8 of the Constitution to "provide and maintain a Navy", a national policy for the naval force structure required in order to 'provide for the common defense' of the United States throughout the 21st century; to the Committee on Armed Services.

By Mr. BLUNT:

H.R. 376. A bill to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including the battlefields and related sites of the First and Second Battles of Newtonia, Missouri, during the Civil War as part of Wilson's Creek National Battlefield or designating the battlefields and related sites as a separate unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. BURGESS:

H.R. 377. A bill to amend the Internal Revenue Code of 1986 to increase the dollar limitation on employer-provided group term life insurance that can be excluded from the gross income of the employee; to the Committee on Ways and Means.

By Mr. CONYERS:

H.R. 378. A bill to direct the Secretary of Labor to issue an occupational safety and health standard to reduce injuries to patients, direct-care registered nurses, and other health care providers by establishing a safe patient handling standard; to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACKBURN (for herself, Mr. CANTOR, Mr. WESTMORELAND, Mr. SALL, Mr. FLAKE, Mr. AKIN, Mr. HENSARLING, Mrs. MUSGRAVE, Mr. CHABOT, Mr. HERGER, and Ms. FOX):

H.R. 379. A bill to make 5 percent across-the-board rescissions in non-defense, non-homeland-security discretionary spending for fiscal year 2007; to the Committee on Appropriations.

By Mr. EMANUEL (for himself, Mrs. EMERSON, Mr. SIMPSON, Mr. KILDEE, Mr. TAYLOR, Ms. CARSON, Mr. WEINER, Mr. LARSEN of Washington, Mr. BERRY, Ms. DELAURO, Mr. COSTA, Ms. MCCOLLUM of Minnesota, Mr. MARSHALL, Mr. WAMP, Mr. DEFAZIO, Mr. RAMSTAD, Mr. RUPPERSBERGER, Mrs. LOWEY, Mr. ISRAEL, Mr. McNULTY, Mr. COOPER, Mr. BURTON of Indiana, Mr. COSTELLO, Mr. MURTHA, Mr. GUTIERREZ, Mr. CUMMINGS, Mr. OBERSTAR, Mr. MOORE of Kansas, Mr. GENE GREEN of Texas, Mr. HOEKSTRA, Mr. FRANK of Massachusetts, Mrs. MUSGRAVE, Mr. HINCHEY, Ms. SCHAKOWSKY, Mr. HASTINGS of Florida, Mr. BISHOP of New York, Mr. SHAYS, Mr. KANJORSKI, Mr. TIERNEY, Mr. LATOURETTE, Mr. CARNAHAN, Mr. CLEAVER, Mr. PLATTS, Mr. VAN HOLLEN, Mr. CHANDLER, Mr. WYNN, Mr. HOLDEN, Mr. ACKERMAN, Mr. LIPINSKI, Mr. MCGOVERN, Mr. PASTOR,

Mr. HASTINGS of Washington, and Ms. GINNY BROWN-WAITE of Florida):

H.R. 380. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GILLMOR (for himself, Mr. PAUL, and Mr. MCCOTTER):

H.R. 381. A bill to amend title II of the Higher Education Act of 1965 to increase teacher familiarity with the educational needs of gifted and talented students, and for other purposes; to the Committee on Education and Labor.

By Mr. GILLMOR:

H.R. 382. A bill to amend the Federal Deposit Insurance Act with respect to municipal deposits; to the Committee on Financial Services.

By Mr. GOODE:

H.R. 383. A bill to amend the Small Business Act to revise the definition of a HUBZone with respect to counties that are highly rural but adjacent to urban areas; to the Committee on Small Business.

By Mr. GOODE:

H.R. 384. A bill to include Nelson County, Virginia, in the Appalachian region for purposes of the programs of the Appalachian Regional Commission; to the Committee on Transportation and Infrastructure.

By Mr. GOODE:

H.R. 385. A bill to amend title II of the Social Security Act to eliminate reconsideration as an intervening step between initial benefit entitlement decisions and subsequent hearings on the record on such decisions; to the Committee on Ways and Means.

By Mr. HASTINGS of Washington:

H.R. 386. A bill to authorize the Secretary of the Interior to convey certain buildings and lands of the Yakima Project, Washington, to the Yakima-Tieton Irrigation District; to the Committee on Natural Resources.

By Mr. KANJORSKI:

H.R. 387. A bill to authorize certain States to prohibit the importation of solid waste from other States, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KILDEE (for himself and Mr. JONES of North Carolina):

H.R. 388. A bill to prohibit the importation of motor vehicles of the People's Republic of China until the tariff rates that China imposes on motor vehicles of the United States are equal to the rates of duty applicable to motor vehicles of the People's Republic of China under the Harmonized Tariff Schedule of the United States; to the Committee on Ways and Means.

By Mr. KUHLE of New York (for himself and Mr. EHLERS):

H.R. 389. A bill to amend the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams; to the Committee on Transportation and Infrastructure.

By Mr. LANTOS (for himself, Mr. CUMMINGS, Mr. TOM DAVIS of Virginia, Mr. FATTAH, Mr. GUTIERREZ, Mr. McDERMOTT, Mr. BRADY of Pennsylvania, Mr. DAVIS of Alabama, Mr. MORAN of Virginia, Mr. ACKERMAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS of Florida, Mr. COHEN, Mr. CONYERS, Mr. UDALL of Colorado, and Ms. BORDALLO):

H.R. 390. A bill to require the establishment of a national database in the National Archives to preserve records of servitude, emancipation, and post-Civil War reconstruction and to provide grants to State and local entities to establish similar local databases; to the Committee on Oversight and Government Reform.

By Mr. MATHESON (for himself, Ms. GINNY BROWN-WAITE of Florida, Mr. FRANK of Massachusetts, Mr. DAVIS of Kentucky, Ms. WATERS, and Mr. GARY G. MILLER of California):

H.R. 391. A bill to authorize the Secretary of Housing and Urban Development to continue to insure, and to enter into commitments to insure, home equity conversion mortgages under section 255 of the National Housing Act; to the Committee on Financial Services.

By Ms. NORTON (for herself, Ms. BORDALLO, Mrs. CHRISTENSEN, Mr. FALEOMAVAEGA, Mr. FORTUÑO, Mr. FRANK of Massachusetts, Mr. CASTLE, and Mr. GUTIERREZ):

H.R. 392. A bill to provide for a circulating quarter dollar coin program to honor the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, and for other purposes; to the Committee on Financial Services.

By Mr. RANGEL:

H.R. 393. A bill to require all persons in the United States between the ages of 18 and 42 to perform national service, either as a member of the uniformed services or in civilian service in furtherance of the national defense and homeland security, to authorize the induction of persons in the uniformed services during wartime to meet end-strength requirements of the uniformed services, to amend the Internal Revenue Code of 1986 to make permanent the favorable treatment afforded combat pay under the earned income tax credit, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. SHERMAN, Mr. WILSON of South Carolina, Mr. CROWLEY, Mr. CHABOT, and Mr. ENGEL):

H.R. 394. A bill to provide for payment of certain claims against the Government of Iran; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SALAZAR:

H.R. 395. A bill to amend the Clean Air Act to require the Secretary of Energy to provide grants to eligible entities to carry out research, development, and demonstration projects of cellulosic ethanol and construct infrastructure that enables retail gas stations to dispense cellulosic ethanol for vehicle fuel to reduce the consumption of petroleum-based fuel; to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAXTON:

H.R. 396. A bill to amend the Internal Revenue Code of 1986 to repeal the required beginning date for distributions from individual retirement plans and for distributions of elective deferrals under qualified cash or deferred arrangements; to the Committee on Ways and Means.

By Mr. SAXTON:

H.R. 397. A bill to amend the Internal Revenue Code of 1986 to allow individuals to defer recognition of reinvested capital gains distributions from regulated investment companies; to the Committee on Ways and Means.

By Ms. SOLIS:

H.R. 398. A bill to require Federal agencies to support health impact assessments and take other actions to improve health and the environmental quality of communities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. THOMPSON of Mississippi:

H.R. 399. A bill to designate the United States Courthouse to be constructed in Jackson, Mississippi, as the "R. Jess Brown United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. GOODE (for himself and Mr. JONES of North Carolina):

H. Con. Res. 22. Concurrent resolution expressing the sense of Congress that the President should provide notice of withdrawal of the United States from the North American Free Trade Agreement (NAFTA); to the Committee on Ways and Means.

By Mr. KUCINICH (for himself, Mr. CUMMINGS, Mr. DEFazio, Mr. JACKSON of Illinois, Ms. WOOLSEY, Mr. SERRANO, Mr. JOHNSON of Georgia, Ms. LEE, Mr. CLAY, Mr. FATTAH, Ms. KILPATRICK, Mr. LYNCH, Mr. HOLT, Ms. CARSON, Mr. DAVIS of Illinois, Ms. MOORE of Wisconsin, Mr. WU, Mr. CAPUANO, Ms. WATSON, Mr. STARK, Mr. CONYERS, and Mr. GRIJALVA):

H. Con. Res. 23. Concurrent resolution expressing the sense of Congress that the President should not order an escalation in the total number of members of the United States Armed Forces serving in Iraq; to the Committee on Armed Services.

By Mr. RANGEL:

H. Con. Res. 24. Concurrent resolution expressing the sense of the Congress that the President should grant a pardon to Marcus Mosiah Garvey to clear his name and affirm his innocence of crimes for which he was unjustly prosecuted and convicted; to the Committee on the Judiciary.

By Mr. PETERSON of Minnesota (for himself, Mr. GOODLATTE, Mr. UDALL of Colorado, Mr. WAMP, Mr. POMEROY, Mr. INSLEE, Mr. MOORE of Kansas, Ms. MATSUI, Mr. CONYERS, Mr. BOSWELL, Mr. GILCHREST, Mr. LATHAM, Mr. FORTENBERRY, Mr. CHANDLER, Ms. MCCOLLUM of Minnesota, Mr. THOMPSON of Mississippi, Mr. LIPINSKI, Mr. BACA, Ms. HERSETH, Mr. MORAN of Kansas, Mr. GRIJALVA, Mrs. MCMORRIS RODGERS, Mr. TERRY, Mr. LAHOOD, and Mr. MARIO DIAZ-BALART of Florida):

H. Con. Res. 25. Concurrent resolution expressing the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should provide from renewable resources not less than 25 percent of the total energy consumed in the United States and continue to produce safe, abundant, and affordable food, feed, and fiber; to the Committee on Agriculture, and in addition to the Committees on Energy and Commerce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL:

H. Con. Res. 26. Concurrent resolution expressing the sense of the Congress that the United States Postal Service should issue a postage stamp commemorating Congressman Adam Clayton Powell, Jr.; to the Committee on Oversight and Government Reform.

By Mr. RANGEL:

H. Con. Res. 27. Concurrent resolution expressing the sense of the House of Representatives that James Brown, also known as the

"God Father of Soul", should be recognized for his contributions to American music as one of the greatest and most influential entertainers of the 1950s, 1960s, and 1970s as an American cultural icon; to the Committee on Education and Labor.

By Mr. SESSIONS:

H. Con. Res. 28. Concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued to promote public awareness of Down syndrome; to the Committee on Oversight and Government Reform.

By Mr. RANGEL:

H. Con. Res. 29. Concurrent resolution calling for the removal of all restrictions from the public, the press, and military families in mourning that would prohibit their presence at the arrival at military installations in the United States or overseas of the remains of the Nation's fallen heroes, the members of the Armed Forces who have died in Iraq or Afghanistan, with the assurance that family requests for privacy will be respected; to the Committee on Armed Services.

By Mr. MCKEON:

H. Res. 45. A resolution Electing minority members and the Resident Commissioner to certain committees of the House of Representatives; considered and agreed to.

By Mr. EMANUEL:

H. Res. 46. A resolution Electing Members and Delegates to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. EMANUEL:

H. Res. 47. A resolution electing Members and Delegates to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. DREIER (for himself, Mr. LINCOLN DIAZ-BALART of Florida, Mr. HASTINGS of Washington, and Mr. SESSIONS):

H. Res. 48. A resolution amending the Rules of the House of Representatives by requiring transparency of record votes in the Committee on Rules; to the Committee on Rules.

By Mr. CAMP of Michigan:

H. Res. 49. A resolution expressing the sense of the House of Representatives that there should be established a National Letter Carriers Appreciation Day; to the Committee on Oversight and Government Reform.

By Mr. CONAWAY (for himself, Mr. COOPER, Mr. LINCOLN DAVIS of Tennessee, and Mr. RYAN of Wisconsin):

H. Res. 50. A resolution amending the Rules of the House of Representatives to require the reduction of section 302(b) suballocations to reflect floor amendments to general appropriation bills; to the Committee on Rules.

By Mr. LIPINSKI (for himself, Mr. FOSSELLA, Mr. DAVIS of Kentucky, Ms. DELAURO, Ms. BORDALLO, Mr. FRANKS of Arizona, Mr. HOLT, Ms. MCCOLLUM of Minnesota, Mr. EHLERS, Mr. HOLDEN, Mr. CHABOT, Mr. SESSIONS, Mr. DAVIS of Illinois, Mr. BAKER, Mr. MCHENRY, Mr. GINGREY, Mr. MCCOTTER, Mr. MANZULLO, Mr. NEAL of Massachusetts, Mr. ROTHMAN, Mr. CLEAVER, Mr. RYAN of Ohio, Ms. MOORE of Wisconsin, Ms. ESHOO, Mr. SOUDER, Mr. TIBERI, Mr. RADANOVICH, Mr. LEWIS of Kentucky, Mr. RENZI, Mr. HIGGINS, Ms. HIRONO, Mrs. CHRISTENSEN, Mr. LANTOS, Mr. TOWNS, Mr. WILSON of South Carolina, Mr. MELANCON, Mr. WOLF, Mr. PATRICK MURPHY of Pennsylvania, Mr. GONZALEZ, Mr. TIM MURPHY of Pennsylvania, Mr. PASCRELL, Mr. TAYLOR, Mr. PAYNE, Mr. JONES of North Carolina, Mr. DENT, Mr.

COURTNEY, Ms. ROS-LEHTINEN, Mrs. DRAKE, Mr. ENGLISH of Pennsylvania, Mr. MCGOVERN, Mr. FERGUSON, Mrs. BIGGERT, Mr. GRIJALVA, Mr. GALLEGLY, Mr. BUYER, Mr. LAHOOD, Mr. AKIN, Mr. TERRY, Mr. SMITH of New Jersey, Mr. CLAY, Ms. ROYBAL-ALLARD, Mr. MARIO DIAZ-BALART of Florida, and Mr. CARNEY):

H. Res. 51. A resolution honoring the contributions of Catholic schools; to the Committee on Education and Labor.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

[Omitted from the Record of January 9, 2007]

H.R. 1: Mr. ENGEL, Mr. GONZALEZ, Mr. MOLLOHAN, and Mr. SHAYS.

H.R. 2: Mrs. DAVIS of California, Ms. CARSON, Mr. MOLLOHAN, Mr. GONZALEZ, Mr. COSTA, Mr. WELLER, and Mr. NEAL of Massachusetts.

H.R. 3: Mr. CRAMER, Mr. SCOTT of Virginia, Mr. MILLER of North Carolina, Mr. GONZALEZ, Mr. EDWARDS, Ms. CLARKE, and Ms. GINNY BROWN-WAITE of Florida.

H.R. 4: Mrs. LOWEY, Mr. MURPHY of Connecticut, Mr. CRAMER, Mr. TOWNS, Mr. MURTHA, Mr. GONZALEZ, and Mr. ENGEL.

H.R. 22: Mr. SMITH of Texas and Mr. MCINTYRE.

H.R. 25: Mr. MICA.

H.R. 35: Mr. BARTLETT of Maryland.

H.R. 36: Mr. HOLT, Mr. AL GREEN of Texas, Mr. WEXLER, and Mr. HINOJOSA.

H.R. 37: Mr. BARTLETT of Maryland, Mr. HINOJOSA, and Mr. HOLT.

H.R. 38: Mr. GENE GREEN of Texas.

H.R. 49: Mr. LAMBORN, Mr. PERLMUTTER, Mrs. MUSGRAVE, Mr. SALAZAR, Mr. TANCREDO, and Ms. DEGETTE.

H.R. 65: Mrs. BIGGERT, Mr. KUCINICH, Mr. EMANUEL, Mr. KANJORSKI, Mr. CLEAVER, Mr. PAYNE, Mr. MEEKS of New York, Mr. CARDOZA, Mr. DAVIS of Kentucky, Mr. MATHESON, Mr. RUSH, Mr. CUMMINGS, Ms. BORDALLO, Mr. TAYLOR, Mr. MEEHAN, Mrs. TAUSCHER, Ms. LORETTA SANCHEZ of California, Mr. ROSS, Mr. SKELTON, Mr. WU, Mr. CRAMER, Mr. BOYD of Florida, Mr. RANGEL, Mr. MARKEY, Ms. KILPATRICK, Ms. CORRINE BROWN of Florida, Ms. BALDWIN, Mr. FRANK of Massachusetts, Mr. LARSON of Connecticut, Mr. GRIJALVA, Mr. MORAN of Virginia, Mr. DOGGETT, Mr. TIERNEY, Mr. LYNCH, Mr. RYAN of Ohio, Mr. SCOTT of Virginia, and Mr. DAVIS of Illinois.

H.R. 87: Mr. KIRK, Mr. PAUL, Mr. SESSIONS, Mrs. MYRICK, Mr. ENGLISH of Pennsylvania, Mr. PUTNAM, Mrs. BLACKBURN, and Mrs. JO ANN DAVIS of Virginia.

H.R. 91: Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 92: Mr. GOODE and Mr. JONES of North Carolina.

H.R. 111: Mr. HERGER, Mr. HOBSON, Mr. WALDEN of Oregon, Mr. BERRY, Mr. ALLEN, Mr. MCHUGH, Mr. WOLF, Mr. SCOTT of Georgia, Mr. GEORGE MILLER of California, Mr. KUCINICH, Mrs. MUSGRAVE, Mr. MATHESON, and Mrs. JO ANN DAVIS of Virginia.

H.R. 123: Ms. ROYBAL-ALLARD.

H.R. 133: Mr. BURTON of Indiana.

H.R. 135: Mr. SESSIONS.

H.R. 137: Mr. MURTHA, Mr. EHLERS, Mr. KILDEE, Mr. RYAN of Ohio, Ms. HOOLEY, Mr. BURTON of Indiana, Mrs. BLACKBURN, Mr. PALLONE, Mr. DOYLE, Ms. NORTON, Mr. McNULTY, Mr. CARDOZA, Mr. CUMMINGS, Mr. BOSWELL, Mr. MCCOTTER, Mr. NADLER, Mr. DICKS, Mr. WEINER, Ms. CORRINE BROWN of Florida, Mr. SCHIFF, Mr. CROWLEY, Mr. KNOLLENBERG, Mrs. LOWEY, Ms. MCCOLLUM of

Minnesota, Mr. TOM DAVIS of Virginia, Mr. ACKERMAN, Mr. CLYBURN, Mrs. TAUSCHER, Mrs. MALONEY of New York, Ms. LEE, Ms. MATSUI, Ms. SCHWARTZ, Ms. WASSERMAN SCHULTZ, Mr. DEFazio, Mrs. BIGGERT, Mr. POMEROY, Mr. DELAHUNT, Mr. HIGGINS, Mr. VAN HOLLEN, Ms. WOOLSEY, Mr. WILSON of South Carolina, Ms. BERKLEY, Mrs. CAPPS, Mr. ENGEL, Ms. LORETTA SANCHEZ of California, Mr. BECERRA, Mrs. JO ANN DAVIS of Virginia, Mr. BAIRD, Mr. BOOZMAN, Mr. WEXLER, Ms. DeLAURO, and Mr. CLAY.

H.R. 157: Mr. GONZALEZ.

H.R. 171: Mrs. CHRISTENSEN and Mr. KUCINICH.

H.R. 190: Mr. GARRETT of New Jersey.

H.R. 191: Mr. GARRETT of New Jersey.

H.R. 192: Mr. GARRETT of New Jersey.

H.R. 195: Mr. GARRETT of New Jersey.

H.R. 211: Mr. HONDA, Mrs. BONO, Mr. MCGOVERN, Mr. WU, Mr. STUPAK, Mr. PATRICK MURPHY of Pennsylvania, Mr. KNOLLENBERG, Mr. GONZALEZ, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. BOUSTANY.

H.R. 223: Mrs. MUSGRAVE.

H.R. 232: Mr. SULLIVAN, Mrs. JO ANN DAVIS of Virginia, Mr. PAUL, Mr. SESSIONS, Ms. FOXX, Mr. EDWARDS, Mr. MCCOTTER, Mr. FLAKE, Mr. SENSENBRENNER, Mr. KIRK, Mr. TIAHRT, Mr. NORWOOD, Mr. ROGERS of Michigan, Mr. MCHUGH, Mr. WALDEN of Oregon, Mr. PITTS, Mrs. MYRICK, Mr. ENGLISH of Pennsylvania, Mr. GERLACH, and Mr. FORTENBERRY.

H.R. 239: Mr. POE, Mr. TIM MURPHY of Pennsylvania, and Mr. SHAYS.

H.R. 241: Mrs. MUSGRAVE.

H.R. 250: Mr. SAXTON.

H.R. 278: Mr. GONZALEZ, Mr. MCGOVERN, Mr. MICHAUD, Mr. MCHUGH, and Mr. GORDON.

H.R. 290: Mr. MCCOTTER.

H.R. 312: Mr. MCCOTTER.

H.R. 315: Mr. MOORE of Kansas and Ms. FOXX.

H.J. Res. 4: Mr. BAIRD and Mr. DELAHUNT.

H. Con. Res. 9: Ms. WOOLSEY, Mr. FRANK of Massachusetts, Mrs. MCCARTHY of New York, Mr. DAVIS of Alabama, Mrs. CHRISTENSEN, Mr. SERRANO, Mr. LEWIS of Georgia, and Ms. WATERS.

H. Res. 12: Mr. LINDER and Mr. INGLIS of South Carolina.

H. Res. 24: Mr. MILLER of North Carolina, Mr. SIREs, Mr. DAVIS of Illinois, and Mr. FARR.

H. Res. 29: Mr. CARDOZA, Mr. SHERMAN, Mr. EHLERS, and Ms. ZOE LOFGREN of California.

[Filed on January 10, 2007]

H.R. 2: Mr. BISHOP of Georgia.

H.R. 3: Mr. BISHOP of Georgia.

H.R. 16: Mr. SAXTON and Ms. WOOLSEY.

H.R. 19: Mr. ALEXANDER, Mr. CAMPBELL of California, and Mr. BLUNT.

H.R. 25: Mr. HASTER.

H.R. 56: Ms. BORDALLO.

H.R. 65: Mr. STUPAK, Mr. DOYLE, Mr. MARSHALL, Mr. DELAHUNT, Mr. GILCHREST, Mr. LINCOLN DAVIS of Tennessee, Mr. WEINER, Mr. UDALL of New Mexico, Mr. PETERSON of Minnesota, Ms. ROYBAL-ALLARD, Mr. NEAL of Massachusetts, Mr. DEFazio, Mr. LIPINSKI, Mr. KIND, Mr. MEEK of Florida, Mr. VAN HOLLEN, Mr. LARSEN of Washington, Mr. PALLONE, Ms. LINDA T. SANCHEZ of California, Ms. SCHWARTZ, Mr. CAPUANO, Mr. BLUMENAUER, Mr. SNYDER, Mr. BERRY, Mr. AKIN, Mr. COOPER, Mr. SMITH of Washington, Mr. UDALL of Colorado, Mr. NADLER, Mr. COBLE, Mr. ENGLISH of Pennsylvania, Mr. PLATTS, Mr. BAIRD, Mr. GORDON, Mr. MOLLOHAN, Mr. GUTIERREZ, Mrs. MALONEY of New York, Mr. BRADY of Pennsylvania, Mr. WAXMAN, Mr. ALLEN, Mr. THOMPSON of Mississippi, Mr. DAVIS of Alabama, Mr. WYNN, Mr. JACKSON of Illinois, Ms. WATSON, Mr. MOORE of Kansas, Mr. COLE of Oklahoma, Mr. MARIO DIAZ-BALART of Florida, Mr. HOLT, Mrs. MCCARTHY of New York, Mr. RODRIGUEZ, Mr. REYES, and Mr. HASTINGS of Florida.

H.R. 92: Mr. TERRY, and Mr. PORTER.

H.R. 101: Mr. SMITH of Washington, Mr. MORAN of Virginia, and Mr. VAN HOLLEN.

H.R. 111: Mr. PASCRELL, Mr. YOUNG of Florida, Mr. BISHOP of Georgia, Mr. DICKS, Mr. CRAMER, and Mr. SOUDER.

H.R. 137: Mr. GEORGE MILLER of California, Mr. SOUDER, Mr. CASTLE, Mr. CHABOT, Mr. EVERETT, Mr. HALL of Texas, Mr. HERGER, Mr. KELLER, Mr. MANZULLO, Mr. MCHUGH, Mrs. MILLER of Michigan, Mr. REGULA, Mr. WALDEN of Oregon, Mr. FRELINGHUYSEN, Mr. INSLEE, Ms. LINDA T. SANCHEZ of California, Mr. HOLDEN, Mr. HONDA, Mr. SHERMAN, Mr. THOMPSON of California, Mr. RUPPERS BERGER, Mr. VISCLOSKEY, Mr. REYES, Mr. HINCHEY, Mr. WHITFIELD, Mr. LIPINSKI, Mr. HOLT, Mr. MCKEON, Mr. FILNER, Mr. SNYDER, Mr. WAXMAN, Mr. RAMSTAD, Mrs. NAPOLITANO, Mr. INGLIS of South Carolina, Mr. FRANK of Massachusetts, Mr. BACA, Ms. BEAN, Mr. HASTINGS of Florida, Mr. KIND, Mr. GENE GREEN of Texas, Ms. ZOE LOFGREN of California, Mr. WU, Mr. OBERSTAR, Ms. ESHOO, Mrs. EMERSON, Mrs. BONO, Mrs. CUBIN, Mr. GILLMOR, Mr. GINGREY, Mr. HOBSON, Mr. LATOURETTE, Mr. LEWIS of Kentucky, Mrs. MCMORRIS RODGERS, Mrs. MUSGRAVE, Mrs. MYRICK, Mr. ROTHMAN, Mr. GRIJALVA, Mr. LANTOS, Mr. AKIN, Mr. FORBES, Mr. HOEKSTRA, Mr. LOBIONDO, Mr. MICA, Mr. PETERSON of Pennsylvania, Mr. REHBERG, Mr. TANCREDO, Mr. TIAHRT, Mr.

SERRANO, Ms. ROYBAL-ALLARD, Mr. JACKSON of Illinois, Mr. ROGERS of Michigan, Ms. JACKSON-LEE of Texas, Mr. ENGLISH of Pennsylvania, Mr. SMITH of Texas, Mr. PUTNAM, Mr. RENZI, Mr. LATHAM, Mr. PENCE, and Mr. McDERMOTT.

H.R. 211: Mr. SOUDER, Mr. RAMSTAD, Mr. JINDAL, and Ms. BALDWIN.

H.R. 226: Mr. ROGERS of Alabama and Mr. BILBRAY.

H.R. 229: Mr. TERRY.

H.R. 237: Mr. MCHUGH.

H.R. 248: Mr. BACHUS.

H.R. 281: Mr. FILNER.

H.R. 294: Mr. JONES of North Carolina.

H.R. 324: Mr. PETRI, Mr. MARCHANT, Mr. JINDAL, Mr. BOUSTANY, Mr. RENZI, and Mr. MCCARTHY of California.

H.R. 353: Mr. DEFazio, Ms. DeLAURO, Mr. McDERMOTT, and Mr. HINCHEY.

H.J. Res. 1: Mr. BAKER, Mr. BOOZMAN, Mr. CRENSHAW, Mr. GINGREY, Mr. HUNTER, Mr. JINDAL, Mr. MCCOTTER, Mr. PUTNAM, Mr. SCOTT of Georgia, and Mr. WALDEN of Oregon.

H. Con. Res. 9: Mr. WAXMAN, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Mr. HOLT, Mr. VAN HOLLEN, Mr. MITCHELL, Ms. KAPTUR, Mrs. LOWEY, and Mr. CAPUANO.

H. Res. 15: Mr. COHEN, Mrs. MALONEY of New York, Mr. DANIEL E. LUNGREN of California, Mr. REGULA, Mr. LATOURETTE, Mr. BERMAN, Mr. LANTOS, Mr. SENSENBRENNER, Mr. HARE, Mr. CANNON, Mr. GALLEGLY, Mr. DUNCAN, Mr. BROWN of South Carolina, Mr. LEWIS of Kentucky, Mr. ROGERS of Kentucky, Mr. BILBRAY, Mr. LEWIS of California, Mr. DREIER, Mr. MCKEON, Mr. DOOLITTLE, Mr. WALDEN of Oregon, Mr. TIBERI, Mr. COBLE, Mr. WALSH of New York, Mr. BOOZMAN, Mr. NUNES, Mr. REYNOLDS, Mr. YOUNG of Florida, Mr. PLATTS, Mr. RADANOVICH, Mr. FARR, Mrs. EMERSON, Ms. ROYBAL-ALLARD, Mr. SKELTON, Ms. HARMAN, Ms. LORETTA SANCHEZ of California, Ms. ZOE LOFGREN of California, Mr. ROYCE, and Mr. ISSA.

H. Res. 18: Mr. LINDER, Mr. POE, Mrs. MYRICK, Ms. FOXX, and Mr. CONAWAY.

H. Res. 24: Mr. ENGLISH of Pennsylvania and Mr. CAPUANO.

H. Res. 39: Mr. MACK, Mr. LINCOLN DIAZ-BALART of Florida, and Ms. ROS-LEHTINEN.

H. Res. 41: Mr. INSLEE, Mr. FRANK of Massachusetts, Mr. FATTAH, Ms. LEE, Mr. CONYERS, Mr. MORAN of Virginia, Ms. JACKSON-LEE of Texas, Mr. WU, and Mr. ABERCROMBIE.

H. Res. 44: Ms. WASSERMAN SCHULTZ, Mr. MILLER of Florida, Mr. KELLER, and Mr. BOYD of Florida.